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Chairman: Mr. Chowdhury ..... (Bangladesh)
Chairman of the Advisory Committee on Administrative and Budgetary Questions: Mr. Mselle

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The meeting was called to order at 10.15 a.m.

Agenda item 114: Review of the efficiency of the administrative and financial functioning of the United Nations (*continued*)

Agenda item 153: Human resources management (*continued*)

Agenda item 157: United Nations reform: measures and proposals (*continued*) (A/52/488)

1. **Ms. Salim** (Assistant Secretary-General for Human Resources Management) said that, as indicated in the introduction to the Secretary-General's report (A/52/488), the proposed United Nations Code of Conduct was actually a new version of article I of the United Nations Staff Regulations and of chapter I of the Staff Rules, and was therefore not intended for direct use by the specialized agencies of the common system. However, the 1954 report of the International Civil Service Advisory Board (A/52/488, annex III) setting forth the ethical and philosophical underpinnings of the international civil service, applied to the entire common system, and any revisions to it would require consultation within the Administrative Committee on Coordination (ACC). It should be noted that the core values of the common system were the same even though rules and procedures varied between organizations. The promulgation of a Code of Conduct containing mandatory ethical imperatives had been announced in 1994 (A/C.5/49/1, para. 31). In addition, separate codes for the Secretary-General and for officials and experts on mission would be issued shortly. The draft Code was the result of extensive staff-management consultations during which numerous changes had been introduced into earlier drafts.

2. After outlining the four-part structure of the proposed Code, she enumerated the major proposed changes to the existing Staff Regulations and Rules. The new provisions concerned the core values of the international civil service, including respect for the principles of the Charter; accountability of staff, particularly managers; prevention of conflicts of interest; financial disclosure requirements applicable to the most senior staff members; a prohibition on the use of office for personal gain; the Secretary-General's obligation to seek to ensure the safety and security of staff; the staff's freedom of opinion and belief; the Secretary-General's duty to provide training and staff development opportunities; and the Secretary-General's duty to strive for conditions of service that would attract staff of the highest calibre.

3. **The Chairman** invited the President of the Coordinating Committee for International Staff Unions and Associations of the United Nations System (CCISUA) and the representative of the Federation of International Civil Servants' Associations (FICSA) to make statements to the Committee.

4. **Ms. Waters** (President of the Coordinating Committee for International Staff Unions and Associations of the United Nations System) said that universally recognized norms and principles concerning the rights and responsibilities of staff and management should be fully integrated into the proposed Code of Conduct. Due process rights must be respected, managers must be held fully accountable for the way in which they discharged their duties and staff representatives must enjoy the freedom and effective protection they needed to carry out their mandates. Those recommendations were very much in line with the views of the Fifth Committee, as expressed in General Assembly resolution 51/226, part II, paragraphs 2 and 3. The sanctions envisaged in those paragraphs would send managers a clearer and stronger message about responsibility and appropriate behaviour than would the Code of Conduct. Before taking any decisions on the proposed Code, the Fifth Committee should seek the advice of the Sixth Committee.

5. Paragraph 12 of part II of General Assembly resolution 51/226 limited the period of continuous release of elected staff representatives to four years. However, staff representatives needed time to develop substantive and leadership skills, and term limitations could jeopardize the institutional memory of staff unions. She asked the Committee to allow the staff to determine, through their voting patterns, the terms of their elected representatives.

6. Regarding the operational independence and administrative systems of the Office of Internal Oversight Services (OIOS), its staff should be subject to the same human resources management processes, particularly in respect of placement and promotion, as all other United Nations staff members. She hoped that the Fifth Committee would clarify that issue in a future resolution.

7. With respect to the achievement of savings through the reduction of non-programme costs, such savings should not affect the mandates of existing viable programmes, and both staff and management in the departments concerned should be consulted as to what constituted programme and non-programme activities.

8. The Organization's increased use of consultants, 2,500 of whom were currently working in the Secretariat, was of great concern to staff. The number of consultants hired should be minimized and the work they performed should

not involve any core elements. Another issue of concern was that of career appointments, which were essential for the creation of an independent international civil service. The prevailing atmosphere of uncertainty resulted in serious difficulties for international staff and in widespread abuse of power by managers, particularly with respect to General Service staff. She was also concerned about the decision to provide staffing tables to staff representatives only under certain conditions, since such information was essential to the performance of their work. Staff representatives were offended by the measure.

9. The purpose of the opinion poll on official holidays which the United Nations Staff Union had held earlier in 1998 had been not to question the authority of the Fifth Committee, but only to consult the staff with regard to the additional options approved by the General Assembly. There was still some tension among the staff on the issue, but the Fifth Committee could easily resolve the matter by approving one additional official holiday per year. Since the comparator Government granted 10.25 holidays per year, 10 holidays for United Nations staff would be completely in line with the Noblemaire and Flemming principles.

10. **Ms. Puhlmann** (Federation of International Civil Servants' Associations) said that the most appropriate way to ensure that international civil servants upheld the principles of the United Nations was to take an integrated approach that balanced the responsibilities of staff and the obligations of the employing organizations. Unfortunately, however, the proposed Code of Conduct used strong, mandatory terms in relation to staff and weaker language in relation to management. Moreover, it relied heavily on statements of rules, while ignoring the complexity of the ethical issues involved. It was doubtful whether the proposals would achieve the aim of promoting ethical conduct.

11. The United Nations had developed the proposed Code without consulting other agencies of the common system, yet it was very important that the specialized agencies should be consulted prior to the Code's adoption by the General Assembly. Such consultation was required under article 9 of the International Civil Service Commission (ICSC) statute and the agreements concluded between the United Nations and the other organizations, and there was clear precedent.

12. The proposed Code of Conduct should provide for better protection of the rights of staff representatives. Draft staff regulations 1.2 (e) and (f), if interpreted strictly, would violate the right to association and representation, including the right to demonstrate. Staff representatives must enjoy internationally recognized labour rights, particularly freedom of action, expression and criticism. Draft staff regulation 1.2 (g) should be extended to protect against discrimination after the expiration of a staff representative's term of office. Draft staff rule 101.2 (e) violated the right to demonstrate and the right to strike, as recognized by administrative tribunals of the United Nations common system. Draft staff rules 101.2 (h) and (p) could prevent staff representatives from entering into direct discussions with representatives of Member States, a practice of acknowledged value, or from addressing the media directly, for example, to explain the purpose of staff action. The Code must not become an instrument for limiting the activities of staff representatives.

13. Draft staff regulation 1.2 (o) on financial disclosure contravened the basic right to privacy, while draft staff regulation 1.3 (b) continued the existing violation of the right to reasonable working hours under international labour law. Prior to its adoption by the General Assembly, the proposed Code of Conduct should be submitted to the Sixth Committee and to the specialized agencies for comment, to ensure full respect both for consultation procedures in the United Nations system and for the international labour standards and rights set forth in the Universal Declaration of Human Rights and ILO conventions.

14. **Mr. Atiyanto** (Indonesia), speaking on behalf of the Group of 77 and China, reiterated the importance which his delegation attached to the proposed Code of Conduct and the need for the Fifth Committee to review the Secretary-General's report (A/52/488) thoroughly in order to reach a judicious decision.

15. **Mr. Sial** (Pakistan) noted that many of the provisions of the proposed Code of Conduct were an integral part of the Staff Regulations and Rules. The new elements might contribute to a qualitative change in the conduct and performance of staff, by clearly setting out their rights and obligations and by ensuring greater accountability. The major changes proposed would be in the interest of the staff and the United Nations, allowing the Organization to work in a more efficient manner.

16. His delegation was pleased to note that staff members generally met the highest standards of efficiency, competence, and integrity set forth in the Charter. The Staff Regulations and Rules should preserve a balance between the rights and privileges of staff and their obligations and accountability. Only such a balance could deter those few in the Organization who engaged in practices that earned a bad name for the other staff members who worked diligently and with integrity.

17. Pakistan looked forward to the Secretary-General's proposals concerning the activities of particular occupational categories of staff which might require special rules. It was also necessary to further elaborate the concept of managerial accountability where the Organization suffered losses through the negligence of its staff. He hoped that, after the adoption of the proposed Code of Conduct, that issue would receive priority.

18. Lastly, Pakistan believed that the genuine and legitimate concerns of staff representatives needed to be addressed so that staff could also welcome the revised Code and not feel that it was being imposed on them.

19. **Ms. Powles** (New Zealand) said that it was entirely appropriate that United Nations staff should abide by a code of conduct, which should be an integral part of the Staff Regulations and Rules. The requirement that all staff members should uphold high standards of integrity, conduct and concern for the public interest was consistent with expectations in most systems of national and international civil services. Furthermore, a code of conduct was intended to protect staff from accusations of impropriety, rather than to impugn them unfairly, as had been suggested by some.

20. The public interest served by United Nations staff members was the world community of 185 Member States, which expected United Nations staff to be model international civil servants. The United Nations Code of Conduct should therefore represent the highest standards of civil service performance in the world.

21. The divergent views expressed on the proposed Code were not unexpected. It had been argued that the Code might infringe the human rights of staff members. A code of conduct, however, was about ethical standards, and to speak about human rights in relation to the proposed Code was to confuse the issue. If it had been a human rights issue, her Government would have been highly concerned and would not have advocated any code of conduct.

22. Her delegation found no hidden agenda behind the proposed Code, which was merely a set of guidelines for responsible behaviour. It was misleading and irresponsible to suggest that there was anything more to the exercise. A code of conduct was a sound basis for good management and part of the reforms needed by the United Nations, and the proposals contained nothing inappropriate.

23. Details of the proposed Code were a matter entirely between the management of the Organization and its staff. Her delegation was firmly opposed to the proposal that the proposed Code should be referred for consideration to the Sixth Committee, which was concerned with issues of international law and not internal staff matters. Sending the proposed Code to the Sixth Committee, moreover, would delay its consideration, deliberately confuse the issue of management with extraneous issues and ultimately delay the move to greater accountability in the United Nations. Should the legality of the proposed Code be of concern to the Committee, a representative of the Office of Legal Affairs might be invited to discuss any concerns which delegations might have.

24. While, in order to be effective, a code of conduct must reflect the obligations of both employers and their employees, it could not be the vehicle for every single concern of management and staff. Her delegation noted the level of consultation that had taken place since February 1997 and wished to suggest that staff representatives should use informal channels of communication to express any additional concerns which they might still have. Instead of needlessly politicizing the issue, that would be a constructive way to proceed while assuaging staff concerns.

25. Finally, she wished to draw attention to Article 101, paragraph 3, of the Charter, which stated that the highest standards of efficiency, competence, and integrity were the paramount consideration in the employment of the staff of the United Nations. The proposed Code of Conduct was an elaboration on the principle of integrity and thus entirely consistent with the Charter.

26. **Mr. Bond** (United States of America) said that his delegation supported the proposed Code of Conduct, which improved upon the International Civil Service Advisory Board's *Report on Standards of Conduct in the International Civil Service 1954*. The proposed Code balanced the rights and duties of staff and their representatives and enumerated the core values of the international civil service. Significantly, it also included provisions to prevent conflicts of interest with reference to staff members and profit-making businesses, required financial disclosure statements for senior officials and explicitly addressed the question of managerial accountability.

27. As a host country, the United States warmly welcomed the requirement for staff members to comply with local laws and to honour their private legal obligations, including, but not limited to, their obligation to honour the orders of competent courts. The issue of spousal and child support was of interest to many Member States, but was of particular interest to the United States because many of the decrees for support emanated from legal action begun in the United States and affected children and spouses living there.

28. His delegation saw the Code of Conduct as a serious step forward by the Secretary-General and hoped that the Fifth Committee would approve it.

29. **Mr. Darwish** (Egypt) said that his delegation supported the statement made by the representative of Indonesia on behalf of the Group of 77 and China. The report of the Secretary-General on a proposed United Nations Code of Conduct constituted an important step towards improving the effectiveness of United Nations administrative and financial performance. The proposed Code should complement rather than conflict with the regulations and rules governing the rights and duties of United Nations staff. His delegation stressed its appreciation of the endeavours of United Nations staff, and was aware of the dangers to which they were exposed, in particular when on field missions. He thanked them for their laudable efforts, compelled as they currently were to work in harsh conditions. If any impropriety had in fact taken place, it was extremely limited in extent. He expressed his delegation's conviction that the proposed Code should not in any way be considered as curtailing the freedom of staff members or any of their privileges. The proposals provided precise guidelines on rights and duties, and made good the current lacunae in the administrative and legal system governing rules of employment, previously noted in the reports of United Nations oversight bodies.

30. His delegation would do its utmost to become acquainted with the true concerns of United Nations staff members and would seek further clarification in informal consultations, taking into consideration the concerns expressed by the staff through their representatives and in the course of contacts made by his delegation. In conclusion, he expressed his support for the position adopted by the representative of New Zealand with regard to the Fifth Committee being the appropriate body to deal with such issues.

31. **Mr. Farid** (Saudi Arabia) welcomed the proposed Code of Conduct, which covered a wide range of human resources issues. On the question of the official holidays of the United Nations, Saudi Arabia would support a proposal to increase the total number of official holidays in each calendar year to 10. However, the General Assembly had already decided in its resolution 52/214 A that the two holidays of Id al-Fitr and Id al-Adha should be observed as official holidays of the United Nations. He therefore fully expected the resolution to be strictly implemented and 7 April, the holiday of Id al-Adha, to be a mandatory holiday for all staff of the Organization.

32. **Ms. Achouri** (Tunisia) said that her Government supported all measures aimed at ensuring that United Nations staff met the highest standards of integrity. The most important concern for Member States as employers was to enhance the staff's efficiency, output and productivity, thereby enabling them to more effectively implement the mandates of Member States. Another major concern was the strengthening of accountability. If those two requirements were to be met, staff must have an environment that was conducive to better performance. There was a feeling of uncertainty among the staff of the Organization. The reduction in posts and other effects of the reform programme together with the recourse to consultants and gratis personnel had affected morale. While the requirement for staff to be available to the Secretary-General 24 hours a day might be acceptable in emergency situations, the systematization of the practice to justify staff cuts was quite another matter. Her delegation agreed with the representative of Pakistan on the need for a fair balance between the rights and obligations of staff members. The International Civil Service Commission should be consulted on the proposed Code, even if the latter was not to be used system wide.

33. Finally, she would welcome clarification from the Under-Secretary-General for Management as to whether the provisions of the proposed Code were already being applied even before the Code had been adopted by the General Assembly, as the reply to a previous question by the representative of the Russian Federation would seem to indicate.

34. **Mr. Thorne** (United Kingdom), speaking on behalf of the European Union, noted that the proposed Code had been the result of extensive consultations with the staff. The European Union would have preferred its elaboration to have remained solely within the purview of the Secretary-General, but changes to the Staff Regulations and Rules were management issues that were properly dealt with by the Fifth Committee. While the proposed Code should not be referred to the Sixth Committee, informed legal advice could be sought in respect of any contradictions with existing rules. Finally, even though the Under-Secretary-General for Management had indicated that the proposed Code would not directly apply to the specialized agencies, the Committee might still benefit from hearing the views of ICSC.

35. **Mr. Sulaiman** (Syrian Arab Republic) said that his delegation was proud of the staff of the United Nations, and had supported the proposal made three years earlier by the International Civil Service Commission to increase salaries by 9 per cent. However, with regard to the Islamic holidays, he was concerned that the Staff Union had conducted a poll of staff members in order to select official holidays, and

asked who had been responsible for the decision to carry out that poll, which reflected the Staff Union's lack of understanding of the resolution adopted on the question by the Fifth Committee. He expressed his support for the position adopted by Saudi Arabia on the issue.

36. The Code of Conduct proposed by the Secretary-General was excellent in principle, but contained some elements that should be discussed. He proposed that the Code should be referred to the International Civil Service Commission and the Advisory Committee. He queried the value of holding full consultations with staff members on the issue. He expressed his support for the statement made by the representative of New Zealand on the need for the Fifth Committee to deal with the question, it being a purely administrative matter.

37. **Mr. Hanson-Hall** (Ghana) said that the staff were the backbone of the Organization and deserved to be commended for their contribution to its work. The proposed Code of Conduct was intended to provide guidance to the staff in the discharge of their duties and, as such, should benefit from meaningful consultations between all concerned parties. The proposals should be carefully considered by the Fifth Committee, as the competent body to review them. His delegation agreed, however, that it might also be useful to consult ICSC.

38. **Mr. Hanson** (Canada) said, given the diversity of nationalities, cultures and legal systems represented in the Secretariat, it could not be assumed that all staff members, upon their recruitment, would be automatically aware of the standards of conduct that were expected of them. That was why a code of conduct was so necessary.

39. His own employer, the Canadian Department of Foreign Affairs and International Trade, had its code of conduct, whose observance was a condition of employment and breach of which might be grounds for dismissal or even criminal charges. In fact, the severity of some of the code's provisions might surprise the staff representatives who had been invited to address the Committee.

40. The proposed Code of Conduct was an issue of human resources management and therefore came within the purview of the Fifth Committee. He did not support the proposal that it should be referred to the Sixth Committee, which was mainly concerned with the codification of international law. On the other hand, he would have no objection if ICSC, the Advisory Committee or the Office of Legal Affairs were to be consulted. He hoped that the Committee would not attempt to reopen the discussion on the provisions of the proposed Code.

41. **Mr. Monayair** (Kuwait) said that his delegation would follow the issue of the proposed Code with great interest in informal consultations. He expressed his support for the statement made by the Chairman of the Group of 77 and China, and said that his own delegation's position was similar. The issue dealt with by the proposal was essentially one of concern to the Office of Human Resources Management, and therefore to the Fifth Committee. If there was a need for legal advice, the International Civil Service Commission could be consulted.

42. **Ms. Bravo Silot** (Cuba) said that the representatives of the staff had introduced another dimension into the Committee's consideration of the item and that their views should therefore be taken into account, particularly since the proposed Code of Conduct raised issues that affected the staff. She would welcome clarification from the Secretariat of the current status of the Code and of whether it would be applicable to the staff of other United Nations organizations.

43. **Mr. Odaga-Jalomayo** (Uganda) said that his delegation associated itself with the statement made on behalf of the Group of 77 and China and supported the remarks that had been made by the representatives of Canada, New Zealand and Pakistan. The proposed Code of Conduct was essentially another version of the Staff Regulations and Rules, but it seemed to his delegation that it contained too many rights and not enough obligations. It was vital to implement a strict code in order to achieve greater efficiency and effectiveness in the work of the Organization.

44. His delegation was sympathetic to the concerns raised by CCISUA, and agreed that the term limitation of staff representatives was a matter for the staff. On the question of the Islamic holidays and the staff poll he wished to know whether it was normal for General Assembly resolutions to be subject to staff polls.

45. The purpose of a code of conduct was to ensure order, efficiency and stability in the functioning of the Organization. In that connection, his delegation did not believe that a provision requiring staff members to declare their assets constituted an infringement of their human rights. Staff demonstrations, if permitted, should be orderly. The smooth running of the Organization might be compromised if staff members were allowed to give interviews to the media. All matters relating to the proposed Code of Conduct fell squarely within the competence of the Fifth Committee.

46. **Ms. Salim** (Assistant Secretary-General for Human Resources Management) said that the draft Code of Conduct would not be applied until it had been reviewed and

approved by the Fifth Committee and the General Assembly. Whenever the Secretariat referred to the draft Code, it did so as a future blueprint for increased accountability throughout the Organization.

47. **Ms. Waters** (President of the Coordinating Committee for International Staff Unions and Associations of the United Nations System) said that the attitude of the staff towards the Islamic holidays seemed to have been misunderstood by delegations. There had been some confusion about the way in which the resolution had evolved. The staff had originally thought that they could choose which of the nine official holidays they wished to take. Accordingly, management had requested CCISUA to hold a poll to determine staff preferences. The poll had been delayed and, in the meantime, the General Assembly had reached a definitive conclusion on the matter. The staff had never intended to question the General Assembly's right to take decisions, and the results of the poll had been circulated for information purposes only.

48. **Mr. Da Silva Durâo** (General Secretary of the Federation of International Civil Servants Associations) said that since staff members were the chief asset of the Organization, they trusted that their concerns would be taken into account in Member States' deliberations.

49. **Mr. Monayair** (Kuwait) said that he hoped that the Secretariat would respond at that or the next meeting to the questions raised by his own and other delegations at the previous meeting with respect to the Office of Human Resources Management.

Agenda item 119: Pattern of conferences (*continued*) (A/52/829)

50. **Mr. Sach** (Director, Programme Planning and Budget Division), introducing the report of the Secretary-General on measures to ensure the necessary resources for the upgrading of conference rooms and interpretation booths (A/52/829), said that the report had been prepared in response to the need to improve the technical and audio quality of some conference facilities. Although the construction needs of the Organization had been extensively debated at the main part of the session, with the result that substantially increased resources had been made available in the biennium 1998-1999, including provision for the ongoing refurbishment of conference rooms, the Secretariat had not interpreted resolution 52/214 B as an invitation to submit revised estimates with a view to allocating even more resources for that purpose.

51. **Ms. Goicochea Estenoz** (Cuba) said that her delegation was concerned that the political consensus embodied in paragraph 26 of resolution 52/214 B had been ignored by the Secretariat. During the informal consultations leading up to the adoption of that resolution, the Secretariat had quantified the amount which it intended to spend on refurbishing conference facilities. Paragraph 26 had been adopted on the understanding that proposals would be submitted at the first part of the resumed fifty-second session to ensure all necessary resources for the upgrading of conference rooms and interpretation booths. Her delegation believed that the General Assembly's intention had been completely different from that outlined by the Director of the Programme Planning and Budget Division. The Secretary-General's report and the accompanying oral introduction set an unfortunate precedent and could therefore not be used as a basis for further deliberations.

52. **Mr. Sulaiman** (Syrian Arab Republic) said that the report of the Secretary-General on the upgrading of conference rooms and interpretation booths (A/52/829) had not met the expectations of his delegation with regard to the request by the General Assembly in paragraph 26 of its resolution 52/214 B. The proposal to defer upgrading to future years was not a solution to the problem. He expected that the matter would receive the attention both of Member States and the Secretariat.

53. There had been delays in the issuance of some documents, such as the summary records of the Fifth Committee and the decisions the Committee had taken at the main part of the session. He could see no justification for delaying their official issuance beyond the beginning of the first part of the resumed session.

54. The documents of the Seventh United Nations Conference on the Standardization of Geographical Names, which had been held in January 1998, had been issued in only three languages, namely English, French and Spanish. The Secretariat should translate all the documents of the most recent Conference and of the next one into all six official languages in order to uphold the rule of the equality of those languages and in view of the fact that the subject matter of the Conference was inseparable from the language issue, language being the material and substance of geographical names.

55. He asked what were the new categories of fee-paying users to which reference was made in the report of the Secretary-General on access to the optical disk system (A/52/803). The Secretariat would have been better advised to have adopted a single classification for the developing and least developed countries in granting discounts for the use of the system. Scientific research centres and universities

should be granted access to the system either without charge or for a nominal fee.

56. There was a problem with the inconsistency of the English and French texts of press releases on the same subject as well as with variation in the numbering of the releases themselves. A process of revision should be established in order to reconcile the texts. His delegation had requested that press releases should be prepared in the language of the speaker and not on the basis of interpretation. A specific response should be provided on that matter.

57. In information circular ST/IC/1998/10 of 22 January 1998 the Secretariat had explicitly violated General Assembly resolution 52/214 A in deciding that the United Nations buildings would remain open on Id al-Adha, which it had made an optional holiday. The aim of the resolution had not been to segregate staff members by holiday but to have the occasion celebrated by everyone, given that the Organization was of an international and unified character. He asked the Secretariat to respond.

58. **Ms. Goicochea Estenoz** (Cuba) said that the Secretariat should explain why document A/52/829, which was only five paragraphs long, had been issued late. In addition, her delegation wished to receive confirmation that a figure of $900,000 had been mentioned by the Secretariat in the informal consultations leading up to the adoption of resolution 52/214 in connection with the cost of refurbishing conference facilities. It might still be possible for the Committee to take a decision on the matter using resources from the contingency fund.

59. **Mr. Moktefi** (Algeria) said that his delegation shared the concerns of the representative of Cuba regarding the upgrading of conference facilities, as well as those raised by other delegations regarding Islamic holidays.

60. **Mr. Elmontasser** (Libyan Arab Jamahiriya) said that his delegation was not satisfied with the content of the Secretary-General's report (A/52/829), introduced by the Director of the Programme Planning and Budget Division, although there had been some slight improvement in the situation. His delegation continued to deplore the fact that General Assembly resolution 52/214 had not been fully implemented, especially with respect to the matters mentioned by the representatives of Cuba, Algeria and the Syrian Arab Republic, including in particular paragraph 26 of the resolution concerning the upgrading of audio quality and interpretation booths, and the issues of the translation of documents into all languages and the optical disk system. Referring to the implementation of paragraphs 5 and 6 of the resolution, on religious holidays, he said that his delegation was astonished that a matter of such importance for the Islamic world should have been turned over to the Staff Committee for implementation. He asked the Secretariat to provide adequate responses without delay, as Id al-Adha fell on 7 April 1998.

61. **Mr. Atiyanto** (Indonesia) said that, as a matter of principle, his delegation believed that all official holidays should be observed on an equal basis. His delegation had also taken note of the proposal by CCISUA that there should be 10 official holidays.

62. **Mr. Monayair** (Kuwait) noted that progress had been achieved under the item on the pattern of conferences, despite the fact that from time to time there were still appreciable delays in issuing documents. He remarked that on the occasion of the meetings of the Phase IV Working Group on Reimbursement of Contingent-owned Equipment, held from 9 to 13 February 1998, delegations had been surprised to find, on the first day, that an Arabic document had been printed in mirror image and was unreadable. That situation would have been sufficient reason to postpone the work of the Working Group if the members had insisted. He hoped that nothing of the sort would happen again, as many States relied heavily on the Arabic documentation. He expressed support for the Syrian representative's remarks on the standardization of geographical names; it was to be hoped that all due care would be exercised to eliminate errors. The paragraph of resolution 52/214 referring to holidays, for its part, was perfectly clear, and had been prepared in collaboration with the Secretary-General's representatives. Id al-Fitr and Id al-Adha were official holidays that must be treated on a footing of equality with other holidays. He emphasized that he himself, like everyone else, respected religious holidays and other holidays, and said that it was essential for the paragraph dealing with Id al-Adha to be implemented.

63. **Mr. Farid** (Saudi Arabia) said that the issue of Islamic holidays had been negotiated in great detail with the Assistant Secretary-General for General Assembly Affairs and Conference Services. His delegation had therefore hoped that the Secretariat would have been able to implement resolution 52/214 B in full. The Islamic holidays should be official holidays; staff members should not work on those days and should receive full pay.

64. **Mr. Sulaiman** (Syrian Arab Republic) referred to the representative of Kuwait's remarks about the meetings on contingent-owned equipment and said that his delegation found the latter's description of the unfortunate presentation of an Arabic document most distressing. While his delegation had not attended the meetings in question, had

it done so it would certainly have asked for a suspension of the proceedings until such time as the document could have been issued in suitable form. Such a situation was not to be tolerated.

65. **Mr. Ahounou** (Côte d'Ivoire) said that he supported the statements made by the representatives of Algeria and Cuba in connection with the report on the upgrading of conference rooms and interpretation booths (A/52/829). General Assembly resolution 52/214 should be fully implemented, and official holidays should be observed without discrimination. He asked whether the General Assembly or the Secretariat determined the number of holidays.

66. His delegation wished action to be taken to prevent any recurrence of the situation which had occurred at the most recent session of the Commission on the Status of Women, at which documents had been available only in English. If the cause was a lack of resources, the Committee should be told, so that efforts could be made to resolve the problem.

67. **Ms. Fahmy** (Egypt) said that she would focus on the report contained in document A/52/829. Her delegation was distressed that the relevant General Assembly resolution had not been adequately implemented. It appeared from paragraph 5 of the report that certain conference rooms remained to be upgraded, and that there was no current provision in the programme budget for the biennium 1998-1999 for such outstanding work. As there was no indication that additional resources would be available in the near future, she wondered how the Secretariat could regard the implementation of the resolution as feasible. The fact that the Secretariat was engaged in informal consultations was a matter of some importance. She was surprised that the Secretariat was having such difficulty in implementing the resolution. Her delegation was encountering interpretation problems because of the current condition of the booths, and would have further comments when given an opportunity to speak on other questions relating to the pattern of conferences.

68. **Mr. Sach** (Director, Programme Planning and Budget Division) said that the cost of refurbishment of Conference Rooms 4 and 5 and all interpretation booths was estimated at $1.3 million, as indicated in the Secretary-General's report (A/52/829, para. 2). The earlier estimate of approximately $900,000 had been provided at the main part of the session before consultation with the Facilities Management Division. Should the Committee wish to make use of the procedure provided for under General Assembly resolution 41/213 on the use of the contingency fund, it seemed that there might still be political difficulties, as had been the case in December 1997. For that reason, his Division had not issued revised estimates, believing it not to be the consensus wish of Member States.

69. He regretted the fact that the report had been issued after the start of the first part of the resumed session, but a certain amount of technical consultation had been required to arrive at the cost estimate. He trusted that the Committee would still be able to reach a satisfactory conclusion with regard to paragraph 26 of Assembly resolution 52/214. As indicated in the report, the resources would be included in the proposed programme budget for the biennium 2000-2001, unless other channels could be explored, since it was the Division's conclusion, after careful scrutiny, that it would not be possible to find funds in the current biennium, owing to the high priority of other maintenance and construction projects, many of which had been deferred from earlier bienniums.

70. **Mr. Riesco** (Assistant Secretary-General, Department of General Assembly Affairs and Conference Services) said that he regretted the issuance of an illegible document in Arabic, but noted that some 20,000 documents were produced every year, and there were occasional errors. That said, he welcomed the fact that the error had been drawn to his attention, and every effort would be made to avoid recurrences. Regarding the documentation for the Conference on the Standardization of Geographical Names, it was his understanding that the Conference had taken a decision on its working languages, based on its pattern of use of languages, and it would be for the Conference to make any change in that regard. He would provide further detail later.

71. The issue of official holidays was of vital importance to the calendar of conferences and the programme of meetings. Nevertheless, the issue clearly transcended the responsibilities of his Department.

72. Documentation for the Commission on the Status of Women was issued in all six official languages, in which connection the comment by the representative of Côte d'Ivoire might refer to informal papers. He would welcome clarification of the difficulty, so as to prevent recurrences.

73. **Ms. Goicochea Estenoz** (Cuba) said that the statement by the Director of the Programme Planning and Budget Division was unacceptable since the Secretariat could not be guided by political considerations in making proposals, which must be based on technical considerations alone. She was also concerned by the Secretariat's interpretation of General Assembly resolution 41/213 on the use of the contingency fund, and the procedure followed by the Secretariat. The matter would need to be debated further.

74. **Mr. Medina** (Morocco) said that his delegation supported other delegations with regard to the implementation of paragraph 6 of resolution 52/214 A. The matter of the two holidays should be accorded the importance it deserved. His delegation wished to know whether documents were checked before being issued, because an Arabic document had been issued in mirror image. It also wished to know whether or not the report of the Phase IV Working Group on Reimbursement of Contingent-owned Equipment had been issued in all languages, because more than a month had elapsed and it had received only the English version. His delegation was still awaiting a reply from the Secretariat before it could comment on the documents of the Seventh United Nations Conference on the Standardization of Geographical Names.

75. **Mr. Farid** (Saudi Arabia) said that he was not satisfied by the response by the Assistant Secretary-General regarding Id al-Fitr and Id al-Adha. Official holidays meant that buildings were closed and staff had the day off on full pay. He enquired as to the status of the report on the cost-accounting system, to be submitted to the Committee by 31 July. His delegation had previously asked for details of the staff transferred to and from the support account, as well as how many posts held by nationals of developing countries were to be abolished, and would welcome responses as quickly as possible.

76. **Ms. Fahmy** (Egypt) referring to the question of Arabic documentation for the Seventh United Nations Conference on the Standardization of Geographical Names and the Working Group on Contingent-owned Equipment, said that her delegation full appreciated the statement made in that connection by the Assistant Secretary-General to the effect that the volume of work was very great. Her delegation had nevertheless noted repeated incompetence in the work done on documents issued in the Arabic language. At the beginning of the fifty-second session there had also been a complaint, of which representatives in the Fifth Committee had taken note, concerning the low quality of the printing of reports in Arabic relating to one of the oversight bodies. She was confident that the Assistant Secretary-General would issue instructions to prevent that in the future. She supported the views of the representative of the Syrian Arab Republic with regard to the use of the optical disk system. The Secretariat must take account of two categories; that of the developing countries in general and that of other countries. There was nevertheless no objection to there being three categories – the developing countries, the least developed countries and other countries – provided that account was taken of the developing countries, which represented a majority of the Members of the Organization.

77. At its most recent meeting at Headquarters, the Commission on the Status of Women had been forced to vote on a resolution without interpretation and it had also concluded its official meetings and consultations without interpretation. That fact would be included in the report of the Chairperson of the Commission on the Status of Women. There should be greater coordination within the Secretariat, and the holding of an official Economic and Social Council meeting without interpretation was inexcusable.

78. It was absurd that countries should be obliged to engage in haggling on the question of holidays. It had now become necessary to obtain a clear response from the Secretariat and to know which particular Secretariat office was to implement the relevant General Assembly resolution. It was appropriate for the Secretariat to provide a written response concerning its interpretation of the resolution. Then, perhaps, it would be for the Committee to take other measures or to adopt another resolution. The delegation of Egypt had still had no clear explanation of the Secretariat's confusion with regard to the implementation of the resolution. In one of its bulletins the Secretariat had announced that Id al-Fitr and Id al-Adha were not official holidays. Then the delegations of certain countries had intervened with the Secretariat and another bulletin had been issued saying that only one of them would be an official holiday. That was not acceptable, because the resolution had been adopted in the official languages of theSecretariat and there was no reason for any ambiguity. The Secretariat must respond on those questions.

79. **Mr. Thorne** (United Kingdom) said that the European Union was conscious of the great importance attached by many delegations to the issue of official holidays and the efforts already made by the Secretariat to address those concerns. On the issue of conference rooms, it might be productive to discuss the matter in informal consultations.

80. **Mr. Lozinsky** (Russian Federation) recalled that the consultations leading to the adoption of General Assembly resolution 52/214 had been very difficult, a point which should be borne in mind by all delegations. It might be useful for those delegations which had forgotten that fact to consult the relevant summary records, which could be distributed for that purpose.

The meeting rose at 1.10 p.m.

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Summary record of the 54th meeting
Held at Headquarters, New York, on Friday, 20 March 1998, at 10 a.m.

Chairman: Mr. Chowdhury ..... (Bangladesh)
Chairman of the Advisory Committee on Administrative and Budgetary Questions: Mr. Mselle

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The meeting was called to order at 10.15 a.m.

Agenda item 159: Financing of the United Nations Observer Mission in Angola (*continued*) (A/52/799 and A/52/825)

Agenda item 136: Financing of the United Nations Mission of Observers in Tajikistan (A/52/772/Add.1 and A/52/817)

Agenda item 125: Financing of the United Nations Mission for the Referendum in Western Sahara (A/52/730 and Add.2 and A/52/816 and Corr.1)

Agenda item 141: Financing of the United Nations Support Mission in Haiti (A/52/798 and A/52/818)

1. **Mr. Mselle** (Chairman of the Advisory Committee on Administrative and Budgetary Questions) introduced the reports of the Advisory Committee on financing of the United Nations Observer Mission in Angola (MONUA) (A/52/825); the United Nations Mission of Observers in Tajikistan (UNMOT) (A/52/817); the United Nations Mission for the Referendum in Western Sahara (MINURSO) (A/52/816 and Corr.1); and the United Nations Support Mission in Haiti (UNSMIH), the United Nations Transition Mission in Haiti (UNTMIH) and the United Nations Civilian Police Mission in Haiti (MIPONUH) (A/52/818).

2. In his report on financing of the United Nations Observer Mission in Angola (A/52/799), the Secretary-General had requested an increase of $25.7 million over the $155 million gross already appropriated by the General Assembly to cover additional military personnel, military observers and civilian personnel. Of the additional amount requested, $15.4 million was for military personnel costs. The report of the Advisory Committee (A/52/825, paras. 6 and 8) indicated areas where savings were possible. The Advisory Committee was therefore recommending that an additional $20 million, primarily for military personnel costs, should be approved, for a total appropriation of $175 million gross for the period from 1 July 1997 to 30 June 1998.

3. In his report on financing of the United Nations Mission of Observers in Tajikistan (A/52/772/Add.1), the Secretary-General had proposed increasing the Mission budget from the authorized $7.9 million to $19.9 million in order to cover increases in military observers from 44 to 120, international civilian personnel from 26 to 71 and local staff from 40 to 140, as well as an additional 2 civilian police officers. In response to questions raised by the Advisory Committee concerning the effect of the delay in expansion of the Mission, the Secretariat had reduced its estimate by $3.3 million. The Advisory Committee indicated in its report (A/52/817, paras. 10 and 11) that further savings were possible and recommended that the budget for the period ending 30 June 1998 should not exceed $15 million gross.

4. In his report on financing of United Nations Mission for the Referendum in Western Sahara (A/52/730 and Add.2), the Secretary-General had requested an additional $17.1 million, primarily for the identification process. After considerable discussion, the Advisory Committee was recommending approval of the additional resources.

5. For the reasons contained in its report on financing of the United Nations Support Mission in Haiti, the United Nations Transition Mission in Haiti and the United Nations Civilian Police Mission in Haiti (A/52/818), the Advisory Committee had requested that the budget contained in the report of the Secretary-General (A/52/798) should be resubmitted for review in May 1998. In the meantime, the Secretary-General had been authorized to continue to use the resources already appropriated by the General Assembly and the commitment authority authorized by ACABQ.

6. In its reports on MINURSO, UNMOT, and MONUA, the Advisory Committee drew the attention of the General Assembly to the unencumbered balances reflected in the performance reports for those missions for the period ending 30 June 1997. While the Advisory Committee would comment on those reports in due course, its comments were not likely to affect the level of the amounts shown in the performance reports for credit to Member States. The financial and administrative implications of Security Council decisions concerning those missions would be handled in accordance with the procedure set out in General Assembly resolution 49/233.

7. **Mr. Moktefi** (Algeria) requested a detailed explanation of the MINURSO vacancy rate of 14.5 per cent for international and 13.7 per cent for local staff for the period 1 July 1997 to 31 January 1998 (A/52/816, para. 4). Furthermore, his delegation had been surprised by the statement in paragraph 7 of the ACABQ report that, at the request of the Government of Morocco, discussions were currently under way to open two additional identification centres in northern Morocco. Only nine such centres had been mentioned in the agreements between the two parties and, since there was no political mandate for the establishment of additional centres, his delegation was opposed to the financing thereof. He requested an explanation.

8. **Mr. Wharton** (United States of America) said that his delegation supported the expansion of MINURSO so that the Mission could successfully complete its identification of

potential voters for the upcoming referendum and carry out the demining and other military activities necessary for the deployment of Mission personnel and the movement of refugees. However, he noted with concern the spiralling costs associated with the increased international civilian component and, in particular, the proposal for an additional 176 international staff posts, including an increase from 41 to 123 international General Service staff. The cost of General Service personnel was very high, since they received the same allowances as other international staff but performed functions normally carried out by locally recruited staff members and, although the Secretary-General's report (A/52/730, annex V) attempted to justify their employment, he asked the Secretariat to provide further clarification. The resolution to be adopted by the Committee should request the Secretary-General, in order to reduce the cost of employing General Service staff, to take the necessary steps to employ locally recruited staff commensurate with operational requirements.

9. In addition, his delegation requested that addendum 1 to the report of the Secretary-General on financing of the United Nations Mission for the Referendum in Western Sahara (A/52/730/Add.1) and the report of the Secretary-General on financing of the United Nations Mission of Observers in Tajikistan (A/52/772) should be discussed at the current part of the resumed session and that the unencumbered balances of $2,570,300 and $1,507,900 gross, mentioned in paragraphs 8 and 10, respectively, of those reports, should be credited to Member States without further delay.

10. **Mr. Boynton** (United States of America) said that his delegation had questions concerning the entire issue of the unencumbered balances for the various peacekeeping missions and asked the Secretary-General to inform the Committee of any cases in which such balances had not been returned to Member States and to ensure their immediate return.

11. **Mr. Kabir** (Bangladesh), speaking with regard to financing of the United Nations Mission of Observers in Tajikistan, requested specific information on progress towards demobilization and disarmament in Tajikistan. He wondered why vacancy rates at UNMOT were so high and asked whether that situation affected performance, and, if so, how.

12. **Mr. Thorne** (United Kingdom), speaking on behalf of the European Union, enquired about the status of the report on voluntary contributions to UNMOT which the Advisory Committee had undertaken to prepare (A/51/850, para. 12). He also drew attention to the report of the Secretary-General on the composition of the existing groups of Member States for the apportionment of the costs of peacekeeping operations financed through assessed contributions (A/47/484), which provided extremely useful information on changes in the composition of the groups, and asked the Secretariat to prepare an updated report.

13. **Mr. Watanabe** (Japan) extended his condolences to the victims of the recent helicopter crash in which nine members of the United Nations Human Rights Verification Mission in Guatemala (MINUGUA) had been killed or wounded and to the families and colleagues of those who had died.

14. His delegation attached great importance to the activities of the United Nations Support Mission in Haiti since the political stability of that country was a key element in the peace and prosperity of the region. While his delegation regretted the need for increased financing, it understood that changing conditions could require such an increase and was prepared to meet its payment obligations under the Charter of the United Nations, provided that the necessary requirements for accountability were met. His delegation therefore concurred in the Advisory Committee's request for revised estimates. Nevertheless, he wondered how the situation that had prompted that request had arisen.

15. **Ms. Emerson** (Portugal), speaking with regard to the high vacancy rate at MINURSO, asked the Secretariat to explain whether the international staff employed at the Mission were actually performing the tasks for which they had been recruited.

16. **Mr. Medina** (Morocco), said that he had taken note of the remarks made by another delegation concerning the statement in the report of the Advisory Committee on financing of MINURSO (A/52/816, para. 7) that two additional identification centres might be opened in northern Morocco. He emphasized that the Fifth Committee was authorized to comment only on the financial and administrative aspects of political decisions taken by competent bodies.

17. **Mr. Moktefi** (Algeria) said that the representative of Morocco's remark was irrelevant. The fact that the statement in question was contained in the report of the Advisory Committee entitled the Committee to comment on it. There was no legal, political or financial basis for the opening of additional identity centres which were not mentioned in the relevant agreements and arrangements. The most recent Security Council resolutions and the report of the Secretary-General consistently spoke of nine such centres, and the Fifth Committee could only agree to the financing

of what had been politically mandated. He asked the Secretariat to provide further information.

18. **Mr. Yeo Bock Cheng** (Peacekeeping Operations Financing Division) said that the Secretariat had recently reviewed the use of internationally recruited General Service staff for all peacekeeping missions and had indicated in each of the Secretary-General's reports whether some of those staff members could be replaced with locally recruited personnel. The question of the unencumbered balances in the peacekeeping mission budgets would be discussed at greater length in informal consultations. He would transmit the European Union's request for an update to the report on the composition of the existing groups of Member States for the apportionment of the cost of peacekeeping operations financed through assessed contributions (A/47/484) to the Department of Management for appropriate action.

19. In reply to the representative of Japan's question concerning the need for revised budget estimates for the United Nations Support Mission in Haiti, he explained that the situation had been complicated by the fact that the Security Council had authorized a series of short-term extensions to, and amendments of, the Mission's mandate. The Secretary-General had already submitted one revised budget, which had been rendered immediately obsolete by Security Council action. The Advisory Committee had asked the Secretary-General to resubmit his budget because some of the amounts contained therein were open to question as a result of delays in the recording of field accounts and mistaken charging of some expenses against voluntary rather than assessed contributions. The report of the Advisory Committee (A/52/818) mentioned serious staff shortages in the Secretariat; in fact, the problem stemmed from a high level of staff turnover at both Headquarters and the Mission which had resulted in additional delays. The Secretariat was in the process of submitting a new revised budget.

20. **Mr. Persaud** (Chief, Finance Management and Support Service, Field Administration and Logistics Division, Department of Peacekeeping Operations) said that the high vacancy rate at UNMOT was due to the fact that the Mission operated under very difficult conditions on account of the lack of security in many parts of the country. The deployment of administrative support staff had therefore been kept to a minimum and would remain so until such time as the Government of Tajikistan could guarantee safer conditions. The absence of operational staff naturally had an adverse impact on the Mission's operations. Such staff as were deployed were obliged to work seven days a week to provide support for the military observers. Discussions were continuing with the Government on the matter and he hoped that urgent measures could be taken to provide a safer working environment and thereby permit the full deployment of staff.

21. The information contained in paragraph 7 of the report of ACABQ (A/52/816) that two additional centres were to be opened in northern Morocco was misleading. The centres referred to were in fact annexes to existing centres which were operational from time to time. At no time, however, would the total number of centres be more than nine. He would address the other issues raised in informal consultations.

22. **Mr. Moktefi** (Algeria) welcomed the explanation given by the Secretariat that two additional centres were not being established in northern Morocco but that mobile teams from existing centres would be sent out to conduct identification exercises. He noted that the total number of identification centres would remain at nine.

Agenda item 142: Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations (*continued*) (A/C.5/52/38)

23. **Mr. Gilpin** (Chief, Contributions Service) introducing the report of the Secretary-General on the implementation of General Assembly resolutions 49/249 and 50/224 (A/C.5/52/38), drew attention to the provisions for the movement of Belarus, Greece, Portugal and Ukraine to groups C, B, B and C, respectively. Notwithstanding the references contained in the resolutions to equal dollar increases and reductions for Portugal/Belarus and Greece/Ukraine, respectively, it was the Secretariat's view that it was the intent of the Assembly to reduce the assessments of Belarus and Ukraine to group C levels only as those reductions were offset by increases in the assessments of Portugal and Greece, and that it was not the Assembly's intent that the assessments of Belarus and Ukraine should be below those that would otherwise apply to them as members of group C.

24. On that basis, the peacekeeping assessments for Belarus in 1998 had been calculated at the full rate normal for group C, with the balance of Portugal's increase being reflected in the relative overall share of group A in the usual way. The Secretary-General intended to apply the same approach to Greece and Ukraine in future, should the same situation arise.

25. **Mr. Varso** (Slovakia) said that he hoped that the Committee could in informal consultations agree on the text of a draft resolution which would address Slovakia's concerns and facilitate its transition to group C.

26. **The Chairman** suggested that the Committee should recommend to the General Assembly that it should take note of the report of the Secretary-General on the implementation of General Assembly resolutions 49/249 and 50/224 (A/C.5/52/38).

27. *It was so decided.*

Agenda item 116: Programme budget for the biennium 1998-1999 (*continued*) (A/C.5/52/L.24)

Draft decision A/C.5/52/L.24

28. **Mr. Riva** (Argentina) introduced draft decision A/C.5/52/L.24 on the reduction and refocusing of non-programme costs. He drew attention to an editorial revision of the Spanish version of the text to align it with the English version, and hoped that the draft could be adopted by consensus.

29. **Mr. Ahounou** (Côte d'Ivoire) said that his delegation would have liked to have made a number of suggestions concerning the draft decision, but had not been consulted during its preparation. Despite its reservations, however, and so as not to delay the Committee's work, his delegation was prepared to join the consensus.

30. **The Chairman** recalled that the Chairman of the Group of 77 and China had indicated that the Group was not ready to take a decision on the Secretary-General's report (A/52/758) at the first part of the resumed session. It was on that basis that the draft before the Committee had been prepared.

31. **Mr. Atiyanto** (Indonesia) said that, as Chairman of the Group of 77 and China, he wished to confirm the Chairman's recollection.

32. **Ms. Achouri** (Tunisia) supported the statement by the Chairman of the Group of 77 and China. She also wished to draw attention to the need for an editorial change to be made in the French version of the draft decision similar to the one suggested by the representative of Argentina for the Spanish version.

33. **The Chairman** said that the editorial changes suggested would be reflected in the final versions of the respective language texts.

34. *Draft decision A/C.5/52/L.24 was adopted.*

35. **Mr. Watanabe** (Japan) said that although the Committee had had to defer consideration of the report of the Secretary-General on the reduction and refocusing of non-programme costs (A/52/758), a decision on the exact modalities and procedures of the development account must be taken as soon as possible so that the Secretariat could prepare the budget outline for the next biennium. His delegation regretted that the Committee had not been able to discuss the concept of non-programme costs and the Advisory Committee's suggestions concerning a new mechanism for the development account in informal consultations; the Secretariat should take note of the views expressed by Member States. He hoped that the Committee would be able to come to an agreement on the issue of the development account at the second part of the resumed session.

36. **Mr. Atiyanto** (Indonesia), speaking on behalf of the Group of 77 and China, said that although the Group had concurred in the deferment of consideration of the reduction and refocusing of non-programme costs, it urged the Secretary-General to submit a clear, legitimate concept of these costs and of methodologies for calculating the percentage thereof so that the Committee could take a decision on the matter in the context of the establishment of the development account. He hoped that the Secretary-General, in preparing his next report, would take the views expressed by the Group of 77 and China into consideration.

37. **Mr. Thorne** (United Kingdom), speaking on behalf of the European Union, said that, while the European Union had reluctantly acquiesced in deferment of consideration of the Secretary-General's report, its proposals still remained on the table and he hoped that the Secretary-General would take them into account.

38. **Ms. Silot Bravo** (Cuba) said that before taking a decision her delegation would have preferred to have had the information it had earlier requested on possible reductions in cost, the number of posts proposed for elimination and their corresponding areas of work, and the measures that would be taken to rationalize tasks.

Draft decision A/C.5/52/L.23

39. **Ms. Goicochea Estenoz** (Cuba) said that paragraph (c) of draft decision A/C.5/52/L.23, concerning office accommodation at the Palais Wilson, should specify that the United Nations share of the cost of the move would be covered from resources under section 27F of the budget, since the current formulation seemed to question the budget process established in General Assembly resolution 41/213. Paragraph (e) should be reformulated to read, "*Requests* the Secretary-General to entrust to the Office of Internal Oversight Services the task of submitting to the General Assembly at its fifty-second session a cost-benefit analysis on the use of the conference rooms at the disposal of the United Nations in Geneva". A new paragraph should then be added: "*Decides* to consider the proposal to build two

additional conference rooms at the Palais Wilson in the light of the above-mentioned report". It was necessary to add that paragraph because there was no point in requesting a cost-benefit analysis if the decision to build the additional conference rooms had already been taken.

40. She also proposed the addition of another new paragraph in which the Assembly would decide to consider, at its fifty-fourth session, the issue of the space which might become available as a result of the decision taken by the Assembly on the future of the Division of the International Decade for Natural Disaster Reduction. Such a paragraph was necessary because the current provisional arrangements only covered the period up to the end of 1999.

41. **Mr. Fermín** (Dominican Republic) said that he supported the proposals put forward by the representative of Cuba.

42. **Mr. Odaga-Jalomayo** (Uganda) said that paragraph (b) of the draft decision did not accurately reflect the Committee's concerns about the arrangements for the move to the Palais Wilson. The beginning of the paragraph should therefore be changed to read, "*Accepts* the proposal of the Secretary-General regarding the offer of the Swiss authorities". In paragraph (c), the assertion that "the balance of 1,959,000 dollars would be covered from existing resources available for the provision of accommodation at Geneva" was too vague. Instead, the language which the Controller had used in explaining the situation should be inserted. Lastly, the word "*Urges*" in paragraph (d) was too strong, considering that the Swiss authorities had made a generous offer. A more suitable expression should be used instead. He regretted having had to express those concerns at that meeting, but he had not been privy to the consultations held by the Chairman on the draft decision.

43. **The Chairman** said that the only consultations on the draft decision had been the ones held at the last formal meeting on the subject. The language of paragraphs (b) and (c) had been taken verbatim from the oral report by the Chairman of the Advisory Committee. The Controller had reviewed the current wording of paragraph (c) and had confirmed that it reflected the situation accurately. However, if the Ugandan delegation still was not satisfied, the Cuban delegation's proposal to include a reference to budget section 27F might address its concerns. A revised version of the draft decision would be issued following informal consultations.

44. **Mr. Thorne** (United Kingdom), speaking on behalf of the European Union, said that he was satisfied with the current text of the draft decision. Although he did not object to the Cuban delegation's proposed changes to paragraphs (c) and (e), he wondered why a cost-benefit analysis was necessary, since it was his understanding that the facilities at Petit Saconnex would no longer be available and that the Palais Wilson was therefore the only alternative. He could not, however, support the two proposed new paragraphs, since the first one would have the effect of holding up the construction work taking place at the Palais Wilson and the second one involved a question of micro-management that should be left to the Secretariat. He would like information from the Secretariat on the probable impact of a decision by the Committee to hold up the construction of the proposed additional conference rooms at the Palais Wilson.

45. **Mr. Sach** (Director, Programme Planning and Budget Division) said that the original target date of March or April 1998 for occupancy of the Palais Wilson had already been postponed to 1 July 1998 as a result of the delays in obtaining the Committee's approval for the move. Further postponement of construction work would result in a further delay, probably of at least two more months.

46. **Ms. Goicochea Estenoz** (Cuba) said that the closure of the Petit Saconnex annex was completely unrelated to the issue of additional conference rooms, since the existing conference facilities in Geneva were located not at Petit Saconnex, but at the Palais des Nations. Under the budget for the current biennium, the General Assembly had allocated resources for all United Nations meetings in Geneva on the understanding that the meetings would be held at the Palais des Nations. Therefore, from a technical standpoint, the Committee was justified in requesting a cost-benefit analysis. That request would postpone only the construction of new conference rooms, not the move to the Palais Wilson.

Agenda item 119: Pattern of conferences *(continued)*
(A/52/829)

47. **The Chairman** recalled that, at the Committee's fiftieth meeting, a number of delegations had referred to the question of the two major Islamic holidays and had sought clarification with regard to the interpretation of the provisions of paragraphs 5 and 6 of General Assembly resolution 52/214 A.

48. **Ms. Salim** (Assistant Secretary-General for Human Resources Management) said that she was not in a position to advise the Committee on how to solve the matter of the two holidays. Instead, she would be guided by the Committee's decision.

49. From a legal point of view, it was for the General Assembly to determine the total number of holidays that staff should have in a calendar year. However, rule 101.3 of

the Staff Regulations and Rules provided that the Secretary-General should set the official holidays for each duty station. In accordance with paragraph (a) of regulation 8.1, the Secretary-General was required to ensure the effective participation of the staff in his decision, since the issue was related to the welfare of the staff. The Secretary-General had complied with the provisions of paragraphs 5 and 6 of resolution 52/214 A, which required that the Headquarters building should be closed to the public and that no meetings should be held on the days in question. Faced with the limitation of a total of nine staff holidays, the Secretary-General had declared the holidays of Good Friday and Id al-Adha optional, since no existing holidays were to be replaced. In so doing, he believed that he had complied with the intent and purpose of the resolution. The basis of the Secretary-General's decision was that, as far as possible, holidays should coincide with those of the spouses and children of staff in order to preserve the sanctity of family life. There was no other reason for the decision. However, the Secretary-General's decision would be rendered easier and more workable if the Committee were to recommend to the General Assembly that Id al-Adha should be declared a tenth staff holiday. The matter was thus in the Committee's hands.

50. **Mr. Sulaiman** (Syrian Arab Republic) thanked the Assistant Secretary-General for the clarification she had provided with regard to the Islamic holidays and reiterated his delegation's concern over the issue. General Assembly resolution 52/214, paragraph 5, gave the Secretariat sufficient grounds for observing the Islamic holidays in exactly the same manner as other holidays. However, the Secretariat had only added the two holidays of Id al-Fitr and Id al-Adha to the list of holidays in theory. When paragraph 5 had been proposed, at the fifty-second session, it had been understood that its wording was sufficient to ensure that those two holidays would be fully observed. He agreed with the Assistant Secretary-General that it was difficult to reconcile international and local holidays; nevertheless, it must be remembered that the United Nations was an international organization. He requested a response from the Secretariat to the question asked by the representative of Uganda regarding the right of staff representatives to hold a referendum on a resolution adopted by the General Assembly. He refuted the statement made by the staff representative in that connection as incorrect. He stressed the need for transparency in the submission of information on the matter to the Fifth Committee. His delegation did not find it acceptable that the decision on holidays should be left to the staff, since everyone should celebrate the Islamic holidays in the same way as they celebrated Christmas, for example, because it was an international holiday. Id al-Fitr and Id al-Adha should also be considered official international holidays, especially given the fact that there were 45 Islamic countries at the United Nations.

51. **The Chairman** urged members of the Committee to focus on ways of resolving the problem and to refrain from restating positions which were already well known. One concrete suggestion was that the total number of holidays in the calendar year should be increased from 9 to 10. Other specific suggestions would be welcome.

52. **Mr. Farid** (Saudi Arabia), responding to the statement made by the Assistant Secretary-General for Human Resources, said that he did not consider that the Secretary-General had fully complied with the provisions of resolution 52/214 A. A new circular should be issued in which Id al-Adha was classified as an official non-optional holiday. His delegation would be willing to consider increasing the total number of holidays to 10. In the meantime, however, the date of the Id al-Adha holiday was fast approaching and it was imperative that it should be observed in the manner mandated by the resolution.

53. **Mr. Ahounou** (Côte d'Ivoire) wished to know whether it was for the Secretariat or the General Assembly to decide on an increase in the number of holidays. If it was within the competence of the General Assembly to decide, then it might be possible for the Assembly to propose that a tenth holiday should be added in order to meet the concerns of Islamic Member States. He would welcome clarification from the Secretariat on the matter.

54. **Mr. Sulaiman** (Syrian Arab Republic) said that he supported the proposal to increase to 10 the number of holidays.

55. **Mr. Odaga-Jalomayo** (Uganda) said that, as a member of the Organization of the Islamic Conference, Uganda shared the concerns of other delegations with regard to the observance of the holidays of Id al-Fitr and Id al-Adha. In seeking a solution to the problem, however, the Organization must be very careful not to play one religion off against another. He noted in that connection that Good Friday had been declared an optional holiday, which might create additional problems.

56. The United Nations was an international organization representing 185 Member States and the concern to ensure that United Nations holidays coincided with local holidays at the Headquarters duty station, though deserving of some consideration, should not be a determining factor. His delegation wished to suggest either increasing the total

number of holidays to 10 or making any of the non-religious local holidays optional.

57. **Mr. Monayair** (Kuwait) said that the discussion about holidays had taken up an undue amount of time, despite the fact that the resolution was extremely clear. He welcomed the proposal to increase to 10 the number of holidays, on condition that it was done by consensus without referring the issue to consultations.

58. **The Chairman** said that, as far as he was aware, it had been decided to address Id al-Fitr first because that holiday fell in January.

59. **Ms. Aragon** (Philippines) said that she supported the proposal to increase the number of official staff holidays to 10.

60. **Ms. Silot Bravo** (Cuba) said that, in view of the concerns expressed by delegations with respect to the implementation of paragraphs 5 and 6 of General Assembly resolution 52/214, she supported the views expressed by the representative of Côte d'Ivoire.

61. **Mr. Lozinski** (Russian Federation) said that it was important to recall the discussions held and the agreement reached at the time of the draft resolution's adoption in December 1997. He asked the Secretariat to provide all delegations with copies of the summary record of the relevant Fifth Committee meeting.

62. **Ms. Achouri** (Tunisia) thanked the Assistant Secretary-General for Human Resources Management for the clarification she had provided, and said that her delegation supported the statements made by the representatives of the Syrian Arab Republic, Uganda and Kuwait. She did not think it necessary for the discussion to take a religious turn or debate the priority that should be given to Islamic, Christian, Jewish or other holidays. Her delegation supported the proposal made by the representative of Uganda, and considered that there were two possible ways around the problem. One way was to increase to 10 the number of official holidays. The other was to consider the Islamic holidays as two of the nine official holidays of the United Nations, but to leave the choice to the staff with respect to United States national holidays.

63. **Mr. Atiyanto** (Indonesia) said that he also supported the Ugandan delegation's proposal to increase the number of staff holidays to 10.

64. **Mr. Sial** (Pakistan) said that the distribution of the summary record of the meeting at which the draft resolution had been adopted would only complicate matters. He, too, supported the proposal to increase the number of staff holidays to 10.

65. **Mr. Mirmohammad** (Islamic Republic of Iran) said he agreed that the distribution of the summary record would not represent a constructive approach. He shared the views expressed by the delegations that supported full compliance with General Assembly resolution 52/214, and therefore supported the proposal to increase the number of staff holidays to 10.

66. **Mr. Kabir** (Bangladesh) said that, of the two proposals made by the Ugandan delegation, he preferred the proposal to approve one additional staff holiday. However, if that proposal encountered difficulties, the Committee should consider the proposal that one of the local holidays should be made optional.

67. **Mr. Wharton** (United States of America) said that he was well aware of the sensitivity of the issue, which had been discussed at length the previous year. However, the approval of a tenth staff holiday would have budgetary implications which must be fully explored, particularly in view of the Organization's current efforts to enhance its efficiency. The wording of resolution 52/214 had intentionally been left vague because no clear-cut decision had been reached as to how paragraphs 5 and 6 were to be implemented. The proposal to add another holiday should therefore be discussed thoroughly in informal consultations. If the Committee were to vote on the proposal immediately, his delegation would vote against it.

68. **Ms. Fahmy** (Egypt) thanked the Assistant Secretary-General for the information she had provided, and said that her delegation considered that the only proper way to implement the General Assembly resolution was to increase to 10 the number of official holidays. She emphasized the need to respect all the concerns of Member States.

69. **Mr. Sulaiman** (Syrian Arab Republic), responding to the statement made by the representative of the United States, said that increasing by one the number of holidays would have no budgetary implications, but would reduce the work of the staff. He asked that representative to reconsider the proposal to increase the number of holidays, in view of the support it enjoyed from the overwhelming majority of delegations.

70. **Mr. Thorne** (United Kingdom), speaking on behalf of the European Union, said that the Committee had known, when it adopted the draft resolution, that it was essentially handing over to the Secretariat the responsibility for what was not an easy decision. The proposal to add a tenth staff holiday was not acceptable to the European Union at the current stage.

71. **Mr. Odaga-Jalomayo** (Uganda) said that the current discussion illustrated, once again, that the Committee could not enhance its efficiency or effectiveness unless it established a clearly defined decision-making process.

72. **Mr. Ahounou** (Côte d'Ivoire) said that, if the United States of America and the European Union could not accept the proposal to add a tenth staff holiday, they might consider the Ugandan delegation's other proposal, to the effect that Id al-Adha could replace one of the host-country holidays.

73. **Mr. Hanson** (Canada) said that he could not see how the Secretary-General could have devised a solution other than the one he had proposed, since the Assembly had essentially decided that nine holidays, plus two, minus zero, must still equal nine. He asked the Assistant Secretary-General for Human Resources Management to confirm whether the Secretary-General, in consultation with the staff, had the authority to decide which days would be observed as official staff holidays at each duty station.

74. **Mr. Paguaga** (Nicaragua) said that, although he was aware of the Organization's budgetary problems, he was also aware of the importance of cultural values, including religious values. His delegation would therefore vote in favour of adding a tenth holiday to be observed by staff throughout the Organization.

75. **Ms. Salim** (Assistant Secretary-General for Human Resources Management) said that, under the current Staff Regulations and Rules, as approved by the General Assembly, the decision as to which holidays would be observed at each duty station was the prerogative of the Secretary-General, although the General Assembly determined the total number of holidays. In response to the concerns expressed regarding productivity and financial issues, she suggested that, if a tenth staff holiday was approved, the staff could make up the eight working hours lost by working an extra half hour for a period of 16 working days at some point during the year.

76. **Ms. Chen Yue** (China) said that, although her delegation could not decide immediately on the proposal to add a tenth staff holiday, it would give positive consideration to the proposal.

77. **Mr. Sial** (Pakistan) said that General Assembly resolution 52/214 was not ambiguous, as some delegations had claimed. It specified clearly that the holidays of Id al-Fitr and Id al-Adha must be observed. The Committee should give serious consideration to the suggestion made by the Assistant Secretary-General for Human Resources Management.

78. **Mr. Dvinyanin** (Russian Federation) said that the proposal to offset an additional staff holiday by adding another 30 minutes to 16 working days during busy periods might send an undesirable message to observers outside the Organization. The summary record of the meeting at which the draft resolution had been adopted would show that the decision to observe the Islamic holidays had been made on the understanding that no financial implications would be involved. The Secretary-General had been authorized to determine precisely which days would be official holidays.

79. **The Chairman** said that he would instruct the Secretariat to distribute the relevant summary record.

80. **Mr. Thorne** (United Kingdom), speaking on behalf of the European Union, said that despite the eminently pragmatic and sensible nature of the suggestion made by the Assistant Secretary-General, the Committee should not be under the impression that the European Union endorsed it. The United Nations must be seen to steer a middle course between different opinions and groups. If the Organization were to make special arrangements to accommodate the wishes of a particular constituency, other groups with equally strong views on certain topics would be justified in asking for their demands to be met.

81. **Ms. Achouri** (Tunisia) said that the second proposal made by the representative of Uganda remained on the table, namely that two local holidays should be sacrificed to the two Islamic religious holidays.

82. **The Chairman** said that the Assistant Secretary-General had merely made her suggestion as a possible way out of the dilemma. The suggestion should not be imputed to her personally, and in any event it was incumbent on delegations to weigh up the various alternatives and reach a decision.

83. **Ms. Chen Yue** (China) said that, with regard to providing the necessary resources for the upgrading of conference rooms and interpretation booths, all upgrading of conference facilities must be done in a timely fashion. The Secretary-General's report in document A/52/829 stated that some work was being done, but she wished to draw the Secretariat's attention to the fact that one set of interpretation equipment was missing from the Chinese interpreters' booths in the Economic and Social Council chamber. Her delegation also endorsed previous comments by the representative of the Syrian Arab Republic regarding documentation for the Seventh United Nations Conference on the Standardization of Geographical Names. The material for that conference had only been issued in English, French and Spanish. The Assistant Secretary-General for General

Assembly Affairs and Conference Services should provide more information to address her delegation's concerns.

84. **Ms. Silot Bravo** (Cuba) proposed that informal consultations should be recorded so that the political thrust of agreed resolutions would not subsequently be diluted or misinterpreted. With reference to a point raised by her delegation at the previous meeting on the lack of interpretation at a recent meeting of the Commission on the Status of Women, which had resulted in decisions being taken without the use of all the official languages, the Assistant Secretary-General for General Assembly Affairs and Conference Services should explain whether any backup systems existed to ensure that such a situation would not reoccur.

85. **Mr. Riesco** (Assistant Secretary-General, Department of Assembly Affairs and Conference Services) said that the United Nations Conference on the Standardization of Geographical Names had traditionally adopted its own rules of procedure specifying that its official languages would be the six official languages of the United Nations, but that its working languages would be English, French and Spanish. The Secretariat merely followed the instructions of the Conference itself. His Department naturally regretted the one occasion on which interpretation had not been provided to the Commission on the Status of Women, which had occurred because the Commission had not requested additional conference resources until very late in the evening on the final day of its session.

86. **Mr. Sulaiman** (Syrian Arab Republic) thanked the Assistant Secretary-General for General Assembly Affairs and Conference Services for the sterling endeavours that had been made with respect to the documents for the United Nations Conference on the Standardization of Geographical Names, and requested a copy of his statement. With regard to the working languages to be used, he said that the Conference itself had adopted rules of procedure specifying that all six United Nations official languages should be official languages at the Conference. The Fifth Committee could only adopt a resolution on the translation of the documents issued by the secretariat of the Conference, not the documents submitted by Member States.

87. **Ms. Silot Bravo** (Cuba) said that, although the recent problem with the Commission on the Status of Women was largely attributable to a lack of planning on the part of the Commission itself, her delegation would like details on contingency mechanisms which the Secretariat had put in place to forestall such lapses.

88. **Mr. Riesco** (Assistant Secretary-General, Department of General Assembly Affairs and Conference Services) said that the key to effective provision of conference services was anticipating the needs of an intergovernmental body as far ahead as possible. The bureaux of such bodies must make a realistic assessment of their needs and book services well in advance, bearing in mind that his Department was flexible up to a point in terms of the volume of work it could handle.

89. **Ms. Chen Yue** (China) said that the answers provided by the Secretariat had gone some way towards addressing her delegation's concerns. Her delegation would put forward specific proposals on the working languages of intergovernmental conferences at a later stage.

90. **Mr. Dvinyanin** (Russian Federation) said that documents issued by the Secretariat frequently contained substantive mistranslations, which was obviously a source of concern. For example, in paragraph 11 (a) of the letter dated 5 March 1998 from the Chairman of the Group of 77 and China addressed to the Secretary-General (A/52/820), the English word "reduction" had been rendered in Russian as "reimbursement".

91. **The Chairman** said that delegations should approach him with suggestions for a draft decision on upgrading conference rooms and interpretation booths, possibly authorizing the use of the unspent balance of $1.3 million from the previous biennium and specifying that the work should be completed within a certain time-frame.

92. **Mr. Sulaiman** (Syrian Arab Republic) said that his delegation had received no response to its query about press releases, a matter which had been raised by several delegations. The press releases issued after the previous meeting had not included everything that his delegation had said on the issue of the proposed Code of Conduct. Press releases should be prepared using the language in which statements had been made rather than the interpretation.

93. **Mr. Parker** (Office of Communications and Public Information) said that the Office of Communications and Public Information had now overcome the technical problem with regard to the numbering of English and French press releases. The problem went back 10 years to a time when English texts were standard and there were very few French press releases. From 1999 the English and French versions would be synchronized. A further problem was that some agencies in the United Nations system issued press releases in one language only; such documents would be issued under a special symbol. Press officers could only work in English and French. It was impossible to operate in other languages owing to financial constraints. Meetings were covered by an English-speaking and a French-speaking team; they consulted with each other but did not write exactly the same text. Delegations should feel free to approach the press

officers or the Office of Communications and Public Information if they detected inaccuracies.

94. **Mr. Sulaiman** (Syrian Arab Republic) said that a representative of the Secretariat should be present at the informal consultations on the matter to be held by the Committee.

95. **Mr. Moktefi** (Algeria) asked for an update on the plan to publish press releases on the Internet in all six official languages.

96. **The Chairman** reminded the Committee that press releases were not official records. It was very important for the press officers assigned to cover meetings of the Fifth Committee to be experienced professionals who were familiar with the specialized terminology involved. The principal requirement was to record the evolving character of the debate, which would also help the press to form an accurate picture of the work of the Fifth Committee. Since the Fifth Committee was an intergovernmental forum, it sometimes seemed that press releases were skewed towards the views of delegations rather than those of the Secretariat. It was therefore important to strike the correct balance.

97. **Mr. Parker** (Office of Communications and Public Information) said that he would be glad to attend the relevant informal consultations of the Committee. The press officers were the best that the Organization could recruit, and the best of them were assigned to cover meetings of the Fifth Committee owing to the complexity of the material. The Office of Communications and Public Information had started to issue background material and round-ups of the work of the Fifth Committee on the Internet, and he assured the Committee that equal weight would be given to the views of Member States and the Secretariat. Regarding the status of the plan to post press releases on the Internet, he did not possess sufficient knowledge or expertise to provide a detailed answer to the representative of Algeria at the present time.

The meeting rose at 1.30 p.m.

United Nations A/C.5/52/SR.55

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Summary record of the 55th meeting
Held at Headquarters, New York, on Monday, 23 March 1998, at 10 a.m.

Chairman: Mr. Chowdhury ..... (Bangladesh)
Chairman of the Advisory Committee on Administrative and Budgetary Questions: Mr. Mselle

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The meeting was called to order at 10.25 a.m.

Agenda item 116: Programme budget for the biennium 1998-1999 (*continued*)

Integrated Management Information System (A/52/711, A/52/755, A/52/828)

1. **Mr. Mselle** (Chairman of the Advisory Committee on Administrative and Budgetary Questions), introducing the report of the Advisory Committee on the Integrated Management Information System (IMIS) (A/52/828), said that the Advisory Committee's comments were made in the light of the findings and recommendations in the report of the Board of Auditors (A/52/755), which ACABQ endorsed. It was clear that much remained to be done to implement the Board's recommendations.

2. IMIS was a complex project which, upon completion, would profoundly affect the way in which the United Nations managed its operations in personnel, budget and financial services. However, in order for the Organization to get a full return on its investment of over $70 million, the Secretariat would have to address the problems identified by the Board. Following installation, it was vital for the system to be properly maintained, for staff and management to be trained in all aspects of its use, and for there to be sufficient internal expertise to monitor and manage whatever services might be contracted out. The Secretariat had made a number of contract implementation, management and monitoring mistakes and there were a number of unresolved questions regarding payment to the contractor which required clarification. In that connection, the Advisory Committee welcomed the news that negotiations were under way with the contractor to settle the issue of whether some bills which had been submitted or certain payments which had already been made should have been covered under warranty.

3. Regarding the request for an additional $10.4 million, the General Assembly had authorized the charging of $3 million to the 1996-1997 appropriation subject to the Advisory Committee's concurrence. The preliminary information communicated to the Advisory Committee on how that amount would be spent was unsatisfactory and further clarification was required. Regarding the balance of $7.4 million, the Secretariat had informed the Advisory Committee that the amount could be covered within the final appropriation authorized by the General Assembly for 1996-1997. The Advisory Committee had indicated how to proceed on that matter in paragraph 20 of its report.

4. **Mr. Connor** (Under-Secretary-General for Management), introducing the ninth progress report of the Secretary-General on the Integrated Management Information System (A/52/711), said that the reports of the Secretary-General and of the Board of Auditors were complementary and consistent with each other: both outlined progress and problems. The IMIS system was currently operational; transactions at Headquarters were processed through it on a daily basis by hundreds of staff. The human resources applications were being used at 10 locations and three organizations worldwide, and would be in use at 12 locations and five organizations by the end of the year.

5. There was currently no integrated software package available that compared with IMIS in terms of meeting the specific requirements of the Organization. For the most part, the system had been completed with the bulk of the original functionalities, but much remained to be done. The Secretary-General's report had been frank in highlighting problems. However, the project should not be seen in isolation but in its proper context as a fundamental shift in the way that administrative processes were carried out throughout the Organization.

6. The findings of the Board of Auditors were in line with what had been determined previously by the Administration. In most cases, the auditors had confirmed and strengthened the corrective actions planned or put in place by the Administration as a priority. Many of those corrective actions had been under way when the audit took place in mid-1997, and the current situation reflected considerable progress since then.

7. Release 1, human resources, had been installed at all duty stations. As recommended by the auditors, a review was under way of the completeness and quality of the data for the implementation of Release 2, staff entitlements, and Release 4, payroll. All duty stations had undertaken that process as a matter of priority. Missing or incomplete data relating mainly to the skills inventory of the staff would be entered at a later stage within the framework of the overall human resources strategy. Incomplete data did not affect the operation of Release 1. The related functionalities had been included in IMIS with a view to using them incrementally. The implementation of Release 1 had enabled the Organization to standardize data on staff and posts and to upgrade users' technical skills and the Organization's infrastructure worldwide.

8. The re-engineering of Release 2, staff entitlements, had required a major effort. Difficulties with entitlements data had been reported in the seventh and eighth progress reports in 1995 and 1996, as well as in the ninth report. At the time

of the auditors' review, action had been well under way to develop a new version of Release 2. User training was currently in hand, and the new version was scheduled for implementation in April 1998. The development and operation of the first version of Release 2 had brought to light a number of problems relating to entitlements which had gone undetected in the past. In retrospect, Release 2 had been incomplete when implemented in April 1995. On the other hand, the early implementation of Release 2 had revealed a number of poorly understood complexities which had been dealt with in the subsequent version of the software.

9. A number of problems had been anticipated in connection with the launch of Release 3, financial and support services applications, owing to the complexity of the release, the radical changes it introduced, and the number of transactions involved. The difficulty of converting data from old systems and the subsequent impact on reporting, while foreseen back in 1995, had exceeded expectations. Fortunately, the problems had largely been solved by the end of 1997. To better assess the magnitude of the task, it should be noted that the total amount converted from the old to the new systems was $21 billion (reflected as $42 billion in credits and debits). All transactions had been recorded in the conversion control account and the imbalance therein reflected the amounts that could not be converted. Those amounts had subsequently been cleared.

10. Problems had arisen in connection with data conversion issues, import of data through bridges and interfaces, system errors and user operations. Many data errors had already been identified and corrective action taken at the time of the audit. Most of the system errors had also been corrected. No system could be expected to be error-free and it was likely that other errors would surface in the future. The Board of Auditors had criticized the fact that a formal set of diagnostic tools had not been developed to create a built-in mechanism in IMIS to detect data inconsistencies. The Administration had already started work on diagnostic tools to monitor system operations. As of February 1998, eight such tools had been developed and run on a regular basis. The results had confirmed that basic accounting requirements were being met. Errors, though present, were rare, thereby clearly demonstrating that it was possible to monitor the database to reduce the risk of errors.

11. Difficulties had arisen concerning the financial reports, which had been considerably delayed and had taken a great deal of time and effort to prepare. In that area the original specifications had clearly been inadequate. The production of the reports had also been affected by data problems. However, a major effort was currently under way to require users to become acquainted with the new data structure before refining or even defining the reports layout.

12. In fact most of the reports required for the financial statements were ready. In the few cases where a formal report would not be completed, the information would be retrieved through standard queries that had been developed. It should be noted that significant progress had been made in the preparation of financial reports and statements. All 1996-1997 statements would be completed on schedule.

13. Improvements in reporting capabilities had been implemented since the auditors' review. The development of additional standard reports would continue for those reports needed on a regular basis and by a large number of users and duty stations. At the same time, work was under way to provide a facility to enable selected end users to launch standardized queries using multiple selection criteria. Ad hoc queries would continue to exist, as in all systems. Finally, a new facility was being introduced that would enable the system to respond more accurately to specific reporting needs without having to download all of the ledger tables.

14. While action was being taken to improve reporting capabilities and further refine existing reports, it was not currently necessary to overhaul the present IMIS reporting facility. The new facilities which had been installed or were being developed would respond to the needs identified by the auditors while maintaining the current main facility for a larger number of general users both at Headquarters and at offices away from Headquarters. Reports compiled at Headquarters, like all other IMIS facilities and tools, were disseminated to all other duty stations. The effort to develop additional reports must continue and additional resources had been requested to make it possible to retain the team currently assigned to the task. The transition from old systems and procedures required time and effort. The closing of accounts for the current biennium would be the first time that such an exercise had been carried out using the new system. Difficulties had to be considered part of the necessary learning and transition process.

15. One recommendation in the report on the special audit conducted in 1994 had been the completion of the users' review that had been initiated towards the end of that year. That review had been crucial to the implementation of Release 3. The system as implemented in April 1996 was very different from that specified in 1991. A huge number of changes, improvements and corrections had been designed to improve its usability. A major technology upgrade had been implemented to maintain IMIS as a state-of-the-art system. That effort had continued with priority given to

those changes needed to facilitate the closing of the accounts.

16. All changes which staff considered necessary, even if non-essential, were recorded in a central database and prioritized. While most of the priority changes for Releases 1 and 2 had been completed or were close to completion, a considerable number of priority changes were still required for Release 3 in order to facilitate the implementation of the system away from Headquarters.

17. With regard to Release 4, payroll, construction of the software had begun and work was under way to implement the system in test mode alongside the current system in July 1998. The parallel run would continue for six months. The final product would reflect requirements that had been redefined and refined, and would incorporate a number of amendments to accommodate the requirements of offices away from Headquarters and rule changes that had come into effect since 1991.

18. The recruitment process for the 34 positions, 29 of which were financed from temporary assistance, had been very difficult owing to the temporary nature of the posts and the competing demands for technical staff from the private sector. The current staff had acquired a good knowledge of the system and had developed whole sections of the application in the human resources, travel and procurement areas. The Board of Auditors had recommended that the process of learning the system should be accelerated and that the overall organizational structure within the Department of Administration and Management should be formalized. The Administration agreed with those recommendations.

19. A major achievement of the project thus far had been the installation of the necessary infrastructure for the system at offices away from Headquarters and the implementation of Release 1. A major challenge in the current biennium would be implementation of Releases 3 and 4 at offices away from Headquarters. Preparatory work had begun and a training course for staff from those offices was scheduled in New York in April 1998. Implementation at offices away from Headquarters would require an enormous effort. Some of the additional resources which had been requested related to that phase of the project, for which no contractor involvement was currently planned.

20. The ninth progress report provided a detailed description of the costs incurred so far. Ongoing maintenance costs should not be included as project costs. Back in 1994, it had been obvious that the project funds were totally inadequate, and a new project budget of some $62 million plus maintenance costs had been adopted. At that time, the Board of Auditors had acknowledged that further difficulties might emerge as the project developed. The realities of systems problems and refinements, data problems and inadequate staffing must now be faced.

21. His Department was aware of the concerns of Member States regarding the cost of the project. Successful implementation was going to cost more than originally thought. The additional funding, if approved, would bring the total cost of the project, excluding maintenance, to $72.9 million. The request was in line with the priorities recommended by the auditors in their report. The funding of the project was at a critical stage because the inadequacy of available funds currently ruled out the possibility of undertaking certain crucial activities. A total of $4.2 million remained unspent from the previous biennium. The General Assembly had given the Advisory Committee the authority to approve the use of an additional $3 million. The Secretariat was currently awaiting the outcome of the Committee's deliberations before formally requesting the Advisory Committee to release the funds.

22. The projected expenditures for the current biennium included contractual costs, staff costs and training costs. Given the complexity of IMIS, Member States should keep in mind the broad picture rather than focusing solely on individual elements such as contractual costs.

23. **Mr. Niwa** (Acting Assistant Secretary-General for Central Support Services) said that the IMIS contract had been awarded in 1991 after international competitive bidding that elicited 10 proposals. The base contract was a fixed price contract. It had been meant to provide a fully tested and operational system according to the specifications established in 1991 by the United Nations with the assistance of a contractor. As was customary, one of the underlying assumptions reflected in the proposal received by the United Nations had been that there would be limited expansion in the project scope and that the specifications were stable and complete. It was clear in retrospect that the specifications developed in 1990 had not met the operational needs of the system, a fact that had become obvious as work had progressed.

24. Unfortunately, the specifications of particularly large projects frequently proved to be inadequate and projects often had to restart owing to such deficiencies. The Organization had done its utmost to avoid a similar occurrence with IMIS.

25. A performance bond had been linked to that section of the contract since, although progress payments were to have been made on an ongoing basis, the system was to have been delivered as a whole at the end of the contract. Most of the subsequent work requested from the contractor had

been on a time and material basis in order to make changes to the system as already delivered or delivered in phases.

26. A further problem that had arisen as early as 1993 had been that of inadequate resources assigned to the project by the United Nations. It was at that stage that the Organization had decided to request the assistance of the contractor for implementation tasks, as documented in the previous audit report and IMIS progress reports. The contract had been renegotiated in 1994, and it had been assumed by both parties that the revised specifications for changes to Release 3 were definitive and stable and would allow timely implementation of the system in 1995.

27. The project had been reprogrammed and rebudgeted in mid-1994, as detailed in the sixth progress report. As part of that exercise, additional resources had been requested and approved for contractual work.

28. Additional internal resources had also been deployed, leading to the identification of unforeseen changes. A strategy for implementing those changes had been agreed upon with the contractor in order to limit the delays arising from the additional requirements and use the available resources in the best possible manner.

29. In retrospect the change in strategy could have been better documented and the contract amended accordingly. However, the contractor had always and exclusively performed well-defined tasks on a time and material basis and products and services had been verified by United Nations staff. Had any other strategy been retained at the end of 1994, more delays and higher costs would have resulted.

30. It was also clear now that the reprogramming and rebudgeting of the project in 1994 should have been done earlier. As the additional internal resources deployed since then had still been insufficient, the contractor's services had been used, in part, to compensate.

31. The monitoring of the contractor's work had been based on clear identification of the work that the contractor had been requested to do and had been billed on a time and material basis. The specifications of changes had been documented, reviewed and approved by the United Nations. All the work performed had therefore been documented.

32. When the contract had been awarded in 1991, it had been valued at 60 per cent of the project's approved budget. Currently, it amounted to 54 per cent of the approved funding, including maintenance costs through the end of 1997. While the relative importance of the contract had thus decreased as the scope of the project had expanded, its absolute value had increased.

33. That increase in the value of the contract had come about because inadequate staff resources had been assigned to the project team. In addition, the corrective actions undertaken in 1994 and 1995 with respect to Release 3 had come too late and the original specifications provided as a basis for the contract in 1991 had not been complete. Finally, the magnitude and complexity of the task had been underestimated from the very inception of the project.

34. The Administration's main concern had been the successful completion of the project. Failure would not have been in the interest of the Organization or of its Member States. While IMIS was not perfect, it was operational, and no other system on the market could meet the Organization's specific and complex requirements.

35. **Mr. Thorne** (United Kingdom), speaking on behalf of the European Union, the associate countries of Bulgaria, Cyprus, the Czech Republic, Estonia, Hungary, Lithuania, Poland, Romania, Slovakia and Slovenia and, in addition, Norway, welcomed the requirement inherent in IMIS that users should abide strictly by the Financial Regulations and Rules of the Organization. He further noted that the successful implementation of IMIS would require consultation with management and staff, as well as their full cooperation.

36. While the European Union welcomed the progress which had been made in implementing the IMIS project, it shared many of the concerns expressed by ACABQ about the implementation of the project. In that regard, it agreed that the reasons for the increase in cost of IMIS should be analysed. That might be complemented by an independent, external assessment. Such an analysis would help to rectify the inadequacies in the project management, implementation and monitoring identified by ACABQ, and could also be used as a lessons learned study for the future maintenance and development of the system.

37. The European Union agreed with the Advisory Committee's recommendation that the Secretary-General should explore the feasibility of reinstating the budget applications part of IMIS. However, that should not be at the expense of further delay to the envisaged implementation schedule.

38. The European Union noted the Secretariat's intention to complete payroll development by the end of June 1998. It hoped to hear in a further progress report that implementation targets had been met.

39. **Mr. Farid** (Saudi Arabia) said that his delegation was quite concerned about the IMIS situation, especially the unacceptable trend of revising the cost estimates upwards

every two or three years; the initial estimate of $17 million in 1991 had now ballooned into $72.9 million. He wished to know the reason for such increases. He endorsed the Advisory Committee's view that, at the current juncture, no decision could be made to approve additional funds to the project. He also endorsed the view that a thorough analysis of the reasons for the increase in the cost of the IMIS contract should be carried out by the Office of Internal Oversight Services and submitted to the Committee.

40. **Ms. Silot Bravo** (Cuba) said her delegation was concerned that despite the enormous amount of money, $75 million, that had been spent on the IMIS project over a period of 10 years, it had encountered so many problems that an overall assessment of its usefulness for improving the management and processing of administrative measures could not even be undertaken. The audit by the Board of Auditors had identified a number of problems which had further delayed the project's implementation and increased its costs. She was concerned about the Organization's considerable dependence on the contractor for tasks that could have been entrusted to its own staff. Release 2 had been suspended because it was not consistent with the needs of the system or with the requirements of staff entitlements. There were errors and discrepancies in the financial database for Release 3 which had resulted in delays in the preparation of financial statements.

41. It was impossible to monitor the actual implementation of the project because the list of deliverables and the work plan had not been updated; as a result, it was impossible to know if the proposed changes for improving the system should be covered by the contract warranty or by contingency funding.

42. She endorsed the Board's recommendation on the need for an updated list of deliverables and work plan to allow monitoring of payments and deliverables. The Secretariat should identify the contractor and indicate whether the possibility of changing the contractor had been envisaged.

43. In General Assembly resolution 52/213 A it had been decided that the supplementary provision for IMIS of $3 million should not be encumbered without the prior approval of the Advisory Committee. A further additional requirement of $7.4 million had been indicated, but no justification for commitment of that amount had been provided. It was not an isolated occurrence; the shortcomings mentioned by the Board of Auditors would appear to point to a total lack of transparency in the implementation of the project.

44. As a result of the economy measures taken in the 1996-1997 biennium, a number of outputs had been postponed or affected. The Secretary-General indicated that financing for IMIS could be provided by transfers from under-expenditures realized under other sections of the programme budget for the biennium 1996-1997. The Secretariat should provide, in writing, an indication of the total amount of such under-expenditures, with a breakdown by section, in particular for those sections relating to economic and social affairs.

45. The need for additional funds for IMIS should be reassessed in the light of the above difficulties, in particular the lack of any system for evaluating implementation of the project. Any request for additional resources should be made in the context of the biennium 1998-1999, and should be subject to final approval by the General Assembly.

46. **Mr. Yamagiwa** (Japan) noted that the project's cost had increased from the original estimate in 1988 of $28 million to $72.9 million at 31 December 1997, excluding maintenance costs of $22.5 million. While his delegation recognized the importance of improving technology in the United Nations, such costs were disproportionately large. The recommendations of the Board of Auditors must be fully implemented. The development and implementation phase of the project should be completed by the end of 1999 at the latest; the Secretariat should confirm that that schedule would be adhered to.

47. He endorsed the Advisory Committee's view that the Office of Internal Oversight Services should carry out a thorough analysis of the reasons for the increase in the cost of the IMIS contract; the Secretariat should negotiate with the contractor for fairer terms. As for the proposal that the remaining $7.4 million of the $10.4 million required for the current biennium should be accommodated within the final appropriation for the previous biennium, his delegation had concurred in the Secretary-General's proposal to approve $3 million in the final appropriation for the biennium 1996-1997 on the understanding that the amount had been obligated in that period. However, there was no clear indication that that was the case. He wished to know how much of the additional requirement of $10.4 million would be used to meet obligations from prior periods.

48. In that regard, a possible additional surplus of $7.4 million could not automatically be used for the IMIS project. In principle, that amount should be returned to Member States; alternatively, Member States could discuss how the additional resources were to be used, taking into account the fact that a number of programmes and activities had been deferred, postponed or curtailed during the biennium 1996-1997. The resources required for the 1998-1999 biennium should be requested in the context of the current programme budget.

49. **Mr. Kabir** (Bangladesh) said that the reports before the Committee testified to the fact that the IMIS project had been ill-planned and poorly defined and executed. The handicaps that had emerged at the planning stage still plagued the project. It was not clear who was responsible for such mismanagement and what action had been taken to overcome the problems and make the system operational. Transparency and accountability should be strictly maintained in such a major financial undertaking. The contract had been amended 14 times, from an initial estimate of $28 million to over $72 million. The contracting firm said that the renegotiations had been due to delays on the part of the United Nations, and that the United Nations had been unable to deploy sufficient staff to cope with the requirements of the project. The Administration had had to pay $2.59 million as compensation for delays attributable to the United Nations. However, according to the Advisory Committee's report, those delays had not been analysed or addressed objectively. Member States were owed explanations as to why the Organization had been forced to bear that financial burden and under what circumstances. It was also clear that there was no baseline against which the Organization could monitor execution of the contract.

50. The Board of Auditors had noted that the Administration had contracted out tasks that it should have performed itself. In some cases the contractor had performed the user review of project performance, in violation of the contract and relationship between the parties. Such a practice had increased the Organization's dependence on the contractor; in-house expertise should be developed in order to reduce such dependence. He noted with satisfaction the efforts being made to recruit personnel for the project, and requested information on progress in that regard. While he commended the savings achieved in the area of travel, hardware, software and training, he shared the Advisory Committee's view that any efforts to achieve economy should not adversely affect the training of staff, which was vital to the effective implementation and operation of IMIS. He also supported the ACABQ recommendation that expertise available from the contractor should be mastered by the United Nations staff involved in IMIS training.

51. In view of the problems of poor management, implementation and monitoring of the project, his delegation supported the Advisory Committee's suggestion that the Office of Internal Oversight Services should review all aspects of the project and submit a report to the General Assembly at its fifty-third session. It also endorsed the ACABQ recommendation to adjust the performance bond from the contractor to reflect the increased cost of the project. Referring to the Board of Auditors' report (A/52/755, paras. 94-96), he wondered whether any progress had been made in respect of securing approval for and implementing the information systems security policy.

52. **Mr. Repasch** (United States of America) said that his delegation was very interested in IMIS, not only because of its enormous potential but also because of the problems it had encountered, including the significant cost overruns. He hoped that the end of the system's development was near and that the Organization would begin reaping the benefits of that extraordinarily complex, expensive and highly capable system.

53. He welcomed the Board of Auditors' report, with its many valuable recommendations, as an example of the importance of good oversight.

54. Several of the Board's findings were of particular interest. The estimated cost of the project had more than doubled, and at least five additional years had been added to the development time-frame for a system that would have fewer capabilities than originally envisioned. Plans to develop the budget formulation component of the system had now been abandoned, while the component dealing with staff entitlements had had to be turned off 18 months after it had become operational.

55. The Advisory Committee's report also contained a number of observations which his delegation fully supported. Nevertheless, while his delegation supported the need for an analysis of the contract, the Board of Auditors was in a much better position to prepare it. Regarding the amount of the performance bond, further information should be provided on the relevance of a performance bond at the current stage. He agreed with ACABQ that the cost-plus nature of the contract used for IMIS had actually rewarded the contractor for delays and cost overruns while doing little to assure the delivery of quality products. He hoped that the Secretariat had modified that arrangement in order to minimize the Organization's exposure to that risk. He also agreed with the Advisory Committee that the Organization should not have paid for contract changes without verifying that they were in fact within the scope of the contract. He hoped that the Organization would recover the amounts it had spent for the 199 changes to correct errors that should have been made under the warranty; the amounts recovered should be used to reduce the amount requested by the Secretariat for completing IMIS.

56. The question of additional financing was troubling. However, it was important for IMIS to achieve its full functionality. The United States would reluctantly accept the allocation of an additional $7.4 million from the approved 1996-1997 appropriation, provided that the Secretariat

implemented the recommendations of the Board of Auditors, and that the Board continued to monitor the project and alerted the Committee at the first signs of additional complications.

57. **Mr. Moktefi** (Algeria) said that the many difficulties being experienced in the implementation of IMIS were due to the poor management, execution and monitoring of the system. Those deficiencies included the lack of a long-term maintenance plan and of qualified in-house staff to reduce the Organization's dependence on outside providers. While he acknowledged the efforts being made to remedy the problems, much more needed to be done. He would welcome from the Secretariat updated information on recruitment efforts to fill the nine vacant IMIS posts.

58. **Ms. Chen Yue** (China) said that her delegation, too, was concerned about the difficulties encountered in the implementation of IMIS and agreed with the recommendations made by the Board of Auditors and ACABQ. The situation adverted to by ACABQ of payments being made to the contractor without due regard for the timing and quality of deliverables but only on the basis of the number of hours claimed was patently absurd and must be corrected. The erroneous payments which the Administration had made for out-of-scope work should also be recovered. The Secretariat should, moreover, clarify the basis for the payment made by the Administration to the IMIS contractor as a compensation for delays attributed to the United Nations.

59. It was essential for the Organization to train adequate numbers of its own staff in the supervision and maintenance of IMIS in order to not only reduce its dependence on the contractor but also strengthen its ability to negotiate on an equal footing. A great deal of resources had already been absorbed by IMIS, which was intended to improve the Organization's capacity to effectively discharge its mandates. She hoped that the implementation of the recommendations of ACABQ and the Board of Auditors would enable the system to play the role for which it had been intended.

60. **Mr. Hanson** (Canada) said that he shared the concerns of other delegations over the increase in the cost of IMIS and the deficiencies in the management of the project. A project such as IMIS, however, was unique in a number of ways, not the least of which was its complexity. It was therefore even more important that established principles of project management should be more closely adhered to and implemented.

61. He himself had been involved in a number of comparable information technology projects in Canada and none of the problems encountered by IMIS was new to him. He was in fact aware of smaller projects in which more had been spent and less delivered. Information technology projects were distinguished by the challenge of implementation in the context of rapidly evolving technology. What had to be custom-built a few years previously might be currently available "off the shelf".

62. In a project of such long duration, the implementation plan itself must contain built-in opportunities to evaluate the project's needs and what was available in the industry. That could sometimes require the abandonment of efforts in favour of new approaches. Indeed, his delegation did not expect that a day would come when the project could be said to have been completed and nothing more needed to be done. Future upgrades would always be necessary. When such a system ceased to develop, it quickly became obsolete.

63. **Mr. Odaga-Jalomayo** (Uganda) said that it would be helpful if the oral reports by the Chairman of ACABQ, the Under-Secretary-General for Management and the Acting Assistant Secretary-General for Central Support Services could be made available in writing to members of the Committee. While he agreed with the representative of Canada on the need for constant upgrading of the system, it was nevertheless important to distinguish between upgrading the system and making it operational.

64. IMIS could be likened to a construction whose plans called for a bungalow but to which successive floors were added until the superstructure became too heavy for its foundations. The choices faced by the builders included stopping at a level which could be supported by the foundations, rectifying the structural problems, changing the contractor to avoid further increases in the cost or abandoning the entire project and starting another.

65. IMIS was terminally ill and the Organization must choose between abandoning it or committing the resources needed to make the project operational. Uganda would support the second option if the Secretary-General so requested and provided that a deadline was set for completing the system and handing it over to the Organization for management by in-house staff.

66. He wished, lastly, to know the identities of the two contractors involved in the project thus far and endorsed the recommendations of the Board of Auditors, which should be implemented without delay.

67. **Mr. Saha** (India) endorsed the views of the Board of Auditors and of ACABQ and joined in the request made by the representative of Uganda for the statements on the subject by the Secretariat officials to be made available in

writing. It would also be helpful if all proposals for addressing the situation could be circulated so that delegations would be able to monitor the situation more effectively.

68. **The Chairman** said that the presentations by the representatives of the Secretariat would be made available in writing that afternoon to members of the Committee.

69. **Mr. Connor** (Under-Secretary-General for Management) said that it was fundamental to an understanding of the situation that a clear line should be drawn between the early 1990s and the course correction which had taken place in 1994. The initial efforts at implementing IMIS had followed the lead set by the Food and Agriculture Organization (FAO), whose own efforts to customize an information management package had ended in failure and a $30 million write-off.

70. It must be remembered that the failure rate for developing information management systems was 60 per cent. There was no commercially available system at the current time which had all the functionalities needed by the Organization, and if the choice had to be made again, IMIS would still be selected.

71. During the implementation of IMIS, planners had been faced with three surprises. In the implementation of Release 1, it had been discovered that the Organization had lost control of its paper flow with regard to its staffing situation and corrections had had to be made. Release 2 had come up against the problem of the enormous complexity of staff entitlements, which had necessitated the re-engineering of the Release. And worst of all, during the conversion process, which had begun in April 1996, the new system had rejected some details of the balance sheet. As a result, each element of information concerning $21 billion worth of transactions had had to be reprocessed. He could give no assurances that a fourth surprise was not lurking somewhere in the future. It was of fundamental importance to link together all the Releases, since there was a common database and information was entered into the system only once.

72. It was proving difficult to recruit qualified staff for the management of the project, because of the heavy demand for such persons in the period leading up to the year 2000. He noted, however, that the United Nations Development Programme was committed to IMIS and the Organization was working with the Programme and with a number of other funds and programmes which were committed to selected Releases. Despite the many obstacles, it was essential that a dedicated system should be operational by the end of 1999.

73. **Mr. Niwa** (Acting Assistant Secretary-General for Central Support Services) said that the work performed by the contractor was very closely linked to the work of the Secretariat; therefore any consideration of the contractor's performance also concerned the performance of the Secretariat.

74. The first contractor had been Deloitte and Touche. In 1991, bidding had been organized for a new contractor; ten companies had responded, of which six had been considered acceptable, and two had been chosen as finalists; the final choice had been Price Waterhouse. Thus the normal bidding process had been followed.

75. He did not feel that it would be practicable to change the contractor. The Secretariat had been working very closely with the contractor, and if a new contractor was brought in, there would have to be a transition period, and time would be lost. The Secretariat would make use of temporary assistance and in-house capacities so that, after the project was completed, those persons could take over from the contractor.

76. In considering the magnitude of cost escalation, a distinction needed to be made between the contractor's costs and the total cost of the project. As indicated in the ninth progress report, the cost of the project had increased to $42 million, not $72 million as some delegations had claimed. He had already commented on the performance bond. At first, there had been a fixed-term, fixed-price contract, but for the reasons given in the report, the nature of the contract, and of the work, had changed, hence the relevance of the performance bond in terms of retention.

77. **Mr. Sach** (Director, Programme Planning and Budget Division) said, in response to the question raised by the representative of Japan, that the table on page 9 of document A/52/711 showed the amounts appropriated to date for IMIS and the total amount sought, an increase of some $10.4 million, all of which was for 1998-1999 – none of it related to prior period obligations. For purely technical accounting reasons, the amount of $3 million which had been approved by the General Assembly at the fifty-second session had had to be obligated prior to the closing of accounts, but that amount was available for transfer to the IMIS account.

78. On the question of whether a retained surplus would be utilized to finance the amount of $7.4 million that was now being sought, he said that normally retained surpluses would be credited to Member States as offsets against future assessments, but there had been other occasions in the past when surpluses had been utilized in accordance with the wishes of Member States; the Secretariat had proposed to the Advisory Committee that, as an exception to the normal

procedure, the surplus should be made available for IMIS, and the Advisory Committee had recommended that that procedure should be followed.

79. Responding to the representative of Cuba, he said that it was anticipated that there would be a very small surplus from the 1996-1997 programme budget, amounting to $10.3 million, of which $7.4 million was being sought for IMIS; as to spending in the economic and social sectors, sections 7A to 20 of the programme budget had been slightly overspent, by about $1.4 million, but that overexpenditure was subject to the transfer of credits between budget sections and the Secretariat would be making a recommendation to that effect to the Advisory Committee prior to the closing of the accounts.

United Nations International Partnership Trust Fund (A/52/7/Add.9)

80. **Mr. Mselle** (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that the Advisory Committee's report (A/52/7/Add.9) dealt with the question of the donation from Mr. Robert Edward Turner III (Ted Turner) of $1 billion, and also contained information on an exchange of letters between the Secretary-General and the Advisory Committee on the issue.

81. Trust funds could be established by the Secretary-General, after informing the Advisory Committee, or could be established on the basis of decisions by the General Assembly or the Security Council. In the current case, the Secretary-General had decided to establish a trust fund to handle the donation by Mr. Turner. In normal circumstances the Advisory Committee would simply approve the Secretary-General's recommendations for the establishment of posts to be funded by a trust fund; in the current case, however, the Advisory Committee had concluded that since the Trust Fund was unique in its magnitude and implications, it should communicate to the General Assembly the information provided to it by the Secretary-General and the reply it had sent to the Secretary-General.

82. In its letter to the Secretary-General, the Advisory Committee stated that it concurred in the proposal for the Executive Director post at the Assistant Secretary-General level, with the proviso that that level would be subject to review for the period after 31 December 1999. It also requested that, given the unique nature of the Turner gift, it should be provided with a complete administrative budget for the Trust Fund, and that all subsequent administrative budgets should be submitted to it for its prior concurrence on an annual basis.

83. The Advisory Committee's report was intended not for action by the Fifth Committee, but for information. When the Advisory Committee received the additional information it had requested it would report to the General Assembly and make any relevant recommendations.

84. Under financial rule 107.7, voluntary contributions, gifts or donations which directly or indirectly involved an immediate or ultimate financial liability for the Organization could be accepted only with the approval of the General Assembly, but that stage had not been reached. The Advisory Committee would report back after it received further information from the Secretary-General.

85. **Mr. Moktefi** (Algeria) said that the Advisory Committee should report back to the General Assembly at the appropriate time and make any relevant proposals, and should also inform it of any problems which arose in establishing the Trust Fund. Since the Fifth Committee had responsibility for administrative and budgetary questions, it should closely follow the establishment of the Trust Fund.

86. **Mr. Thorne** (United Kingdom), speaking on behalf of the European Union, said that the European Union noted from the Secretary-General's letter that he would keep the General Assembly regularly informed of the decisions he took on the advice of the advisory board as to which projects would be funded by the United Nations Foundation Inc.; that transparency was important. The European Union also noted the concern expressed by the Advisory Committee about the costs of administering the Trust Fund and agreed that clarification was needed; there could be no question of any charges being made to the regular budget without consulting the Fifth Committee in advance.

87. **Mr. Sulaiman** (Syrian Arab Republic) said that document A/52/7/Add.9 concerning the United Nations International Partnership Trust Fund contained new information of the greatest interest to his delegation. His delegation did not wish the concept of United Nations Foundation Inc. to become closely linked to the United Nations as a whole. Although any donations made to the Organization were welcome, such donations remained a personal matter, and the role of the donor ended once he had made his donation. There was no need for systematic contacts to be established with the head of United Nations Foundation Inc.

88. With regard to the submission of regular financial and substantive performance data by the Secretary-General to the Trust Fund and United Nations Foundation Inc., as provided for in paragraph 17 of the document, he said that the issue concerned the General Assembly and the Fifth Committee as political bodies. The Committee should be

provided with any additional information on the matter, in order to enable it to take an appropriate decision.

89. **Mr. Odaga-Jalomayo** (Uganda) said that since the Trust Fund was not a typical fund, it should be administered very carefully in order to achieve the goal sought. The Secretary-General indicated in his letter that the Executive Director would have full responsibility for the overall programmatic review and thematic analysis of project proposals; he asked how that would be synchronized with the medium-term plan. Referring to paragraph 6 of the concept paper, he asked who would define the pressing needs of the international community; under normal circumstances, those needs would be defined in the intergovernmental process. Paragraph 8 referred to non-governmental organizations; he asked whether that meant all non-governmental organizations, from the South and the North, since in the past there had always been a conspicuous absence of non-governmental organizations from the South.

90. The letter from the Chairman of the Advisory Committee stated that the Advisory Committee trusted that every effort would be made to ensure that a steady and dependable cash flow was maintained; he asked what kind of effort the Advisory Committee had in mind.

91. Although the Chairman of the Advisory Committee had said that the report was provided to the Committee for information, the Advisory Committee, in its letter to the Secretary-General, concurred with the Secretary-General regarding the establishment of a post at the Assistant Secretary-General level; it was not clear whether the Advisory Committee or the General Assembly should establish that post. His delegation requested information from the Office of Human Resources Management as to the number of D-2 posts in 1996 and at the current time, broken down by nationality and gender.

92. **Mr. Saha** (India) said that his delegation had already commented on the issue of the Trust Fund during the consideration of the financial situation of the Organization; it associated itself with the comments made by the representative of Algeria, and the request made by the representative of Uganda.

93. **Ms. Silot Bravo** (Cuba) said that her delegation endorsed the comments made by the representatives of Algeria, the Syrian Arab Republic and Uganda, particularly with regard to the role of the General Assembly, and of the Committee, in the consideration of the proposal; there were a number of questions which required clarification and consideration by the General Assembly. It hoped that the decisions on the subject would take into account those concerns and the proposals made by various delegations.

94. **Mr. Misran** (Malaysia) said that Member States must have an opportunity to comment on the establishment of the Trust Fund. His delegation was interested in learning about the terms and regulations relating to the Fund.

95. **Mr. Mirmohammad** (Islamic Republic of Iran) asked whether the staffing and support costs would be funded from the Trust Fund or from other sources.

96. **Mr. Mselle** (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that with regard to the question raised by the representative of Uganda concerning the maintenance of a steady cash flow, the operational reserve was meant to provide funding for an account pending the receipt of contributions. The Advisory Committee felt that efforts should be made by the Secretariat to ensure that there was a steady flow of cash to the Trust Fund, so that the Secretariat did not raise commitments without having the cash to fund them, as had occurred in the past.

97. On the question of the Advisory Committee's role in approving the post of the Executive Director, the current procedure was that all extrabudgetary posts at the level of D-1 and above which were established by the Secretary-General to be funded from trust funds must have the concurrence of the Advisory Committee. That procedure had been followed, and, because of the unique nature of the operation, the Advisory Committee had also requested that the budgets should be submitted to it.

98. The staffing and support costs of the Trust Fund would be funded from the Trust Fund itself. On the question of the role of the General Assembly in establishing the Trust Fund, he said that the Trust Fund was being established by the Secretary-General to manage a donation from Mr. Ted Turner; the Secretary-General received many donations and established trust funds for the purpose of managing those resources in accordance with the wishes of the donor. Thus the Secretary-General was following normal practice. There was nothing unique about informing the General Assembly, since the Advisory Committee believed that such operations must be transparent.

99. On the question of the responsibility of the Executive Director, he referred to the link between paragraphs 3 and 7 (a) of the concept paper.

100. **Mr. Connor** (Under-Secretary-General for Management) said that the relationship agreement for the Trust Fund had not yet been finalized, but it would set forth the obligations and responsibilities of both parties to the donation. Bearing in mind the Advisory Committee's comments, an arrangement would be included whereby it

would not be necessary to borrow from other funds; the Trust Fund would be financed from the United Nations Foundation Inc. The Secretary-General's overall intent was clearly set out in the document; the contributions would supplement, not replace, the regular, assessed or voluntarily funded programmes of the United Nations. The Secretary-General had a unique responsibility to identify objectives that were consistent with the Charter of the United Nations. He would prepare a consolidated project planning document, supplemented by individual project documents. There would not be any infringement of the goals and objectives set forth in the medium-term plan. Proposals would be made by various parts of the United Nations to the Secretary-General, in his capacity as chief administrative officer of the Trust Fund, and he would decide which proposals should be submitted for possible funding by the United Nations Foundation Inc.

The meeting rose at 1.25 p.m.

United Nations A/C.5/52/SR.56

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Summary record of the 56th meeting
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Chairman: Ms. Daes ..... (Greece)
Chairman of the Advisory Committee on Administrative and Budgetary Questions: Mr. Mselle

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98-80352 (E)

The meeting was called to order at 3.10 p.m.

Agenda item 114: Review of the efficiency of the administrative and financial functioning of the United Nations (*continued*)

Agenda item 153: Human resources management (*continued*)

Agenda item 157: United Nations reform: measures and proposals (*continued*) (A/52/488)

1. **Mr. Kabir** (Bangladesh) said that his delegation welcomed the proposed Code of Conduct submitted by the Secretary-General (A/52/488). The reforms that had been introduced, which were aimed at ensuring efficiency, accountability and transparency in the delivery of the Organization's programmes, would require a new ethical and performance standard. Because the proposed Code was to be an integral part of the Staff Rules and Regulations and essentially updated the "Report on Standards of Conduct in the International Civil Service 1954", the General Assembly was the appropriate forum in which to deal with the issue, and it was the job of the Fifth Committee to make recommendations to the plenary Assembly. However, the possibility of seeking the views of the International Civil Service Commission (ICSC) and the Advisory Committee on Administrative and Budgetary Questions (ACABQ) should not be ruled out.

2. The reaffirmation in the proposed Code of the principle that those who worked for the Organization must meet the highest standards of efficiency, competence and integrity was appropriate. It was also fitting that the Code should include provisions aimed at ensuring staff members' independence, maintaining the international character of their functions and reinforcing their commitment to the core values of the international civil service. Given the nature of the Organization, the importance of multiculturalism should also be suitably reflected.

3. The filing of financial disclosure statements provided for under draft staff regulation 1.2 was essential to ensure managerial accountability and integrity, promote transparency in administration and avoid conflicts of interest. The requirement, moreover, should not be restricted to high-level staff. His delegation did not share the view that financial disclosure would interfere with the right of privacy of staff members.

4. Concerning basic rights and obligations of staff, he said that draft staff rules 101.2 (d) to (i), which defined specific instances of prohibited conduct, should be implemented with great care. In particular, they should not deprive staff representatives of the opportunity of presenting their views in the Organization's legislative bodies.

5. Performance appraisal systems no doubt served a purpose by making staff members, including managers, accountable; a balance must be struck, however, between staff members' professional obligations and their need for personal freedom. The relevant provisions should therefore not be used to impose excessive workloads on staff by arbitrarily increasing post vacancy rates. In that regard, the comments by the President of the Coordinating Committee for International Staff Unions and Associations of the United Nations System concerning the use of consultants and seconded staff and the issue of the uniform application of the Staff Rules to all Secretariat staff should be taken into consideration. At the same time, his delegation believed that staff representatives should be flexible and constructive in their approach to improving working conditions in the Organization.

6. **Mr. Yamagiwa** (Japan) welcomed delegations' near-unanimity in supporting a proposed Code of Conduct that would enable the Organization to secure the highest standards of efficiency, competence and integrity. His delegation would support all initiatives by the Secretary-General that would make the Organization more efficient and effective.

7. Concerning the procedure to be followed, he did not oppose consulting ICSC.

8. **Mr. Misran** (Malaysia) said that the proposed Code of Conduct clearly defined expected standards of personal and professional conduct along with the obligations of staff members and the core values of the international civil service. He expressed the hope that it would be adopted quickly. Regarding the financial disclosure statements which senior staff would have to make, he said that the concerns expressed by the representative of the Federation of International Civil Servants' Associations were clearly exaggerated and that the practice was already in place in the civil services of a number of Member States.

9. **Mr. Li Yanguo** (China) said that the proposed Code of Conduct was a more complete and precise version of the existing Staff Rules and Regulations and should be welcomed as an attempt to provide a better definition of the rights and obligations of international civil servants, the standards of conduct to which they should conform, the sanctions that could be imposed on them and the rewards they could receive. While the Fifth Committee was the competent body to decide on the Code, his delegation was pleased that the staff had been consulted during its preparation.

10. **Ms. Salim** (Assistant Secretary-General for Human Resources Management), speaking in response to a question from the representative of Pakistan, confirmed that the proposed Code of Conduct contained many provisions on the accountability of managers. That accountability had two aspects: accountability when standards of conduct were breached – draft staff regulation 1.2 defined the obligations of staff, while draft staff rule 101.2 (a) covered disciplinary procedures – and accountability for professional performance, which was covered under draft staff regulation 1.3 (a). If the General Assembly adopted the draft, the new Code would then form the basis for the administrative instructions that would be issued, pursuant to the General Assembly's request to the Secretary-General in its resolution 51/226, to define clearly the responsibility and accountability of programme managers.

11. The representative of Tunisia had noted that, under draft regulation 1.3 (b), the whole time of staff members was at the disposal of the Secretary-General and had expressed doubts about the acceptability of such a provision. The purpose of that regulation was to underline that working hours and leave depended on the needs of the service, that the Secretary-General could call on staff outside normal working hours and that they were required to comply, but the commentary made it clear that recourse to additional hours must be reasonable and in keeping with the needs of the service.

12. The representative of Cuba had wondered if the "Report on standards of conduct in the international civil service" drafted in 1954 by the International Civil Service Advisory Board remained valid. In his report on the establishment of a transparent and effective system of accountability and responsibility (A/C.5/49/1), the Secretary-General had indicated that the 1954 report would be reviewed and updated in order to enact a truly comprehensive code of conduct, but he had also stressed that it had never been conceived of as a substitute for mandatory rules, nor was it intended to have such general application. It was important to understand that the proposed Code of Conduct was only a revised and improved version of chapter I of the Staff Rules and that it was intended to confirm, not to modify, the core values of the international civil service set forth in the 1954 report.

13. Some delegations had suggested that the proposed Code of Conduct should be submitted to ICSC or other bodies of the system. Since the draft concerned United Nations staff alone, such a decision would be unprecedented and could have considerable impact on the work of the Fifth Committee; therefore, delegations must proceed with the greatest care.

14. **Mr. Vegega** (Vice-Chairman, International Civil Service Commission), in reply to questions from several delegations, confirmed that ICSC could give its views on the proposed Code of Conduct. The 1954 standards of conduct had been elaborated by the International Civil Service Advisory Board, which was the predecessor of ICSC. If the Fifth Committee chose to update the standards of conduct to make the text applicable to all United Nations organizations, ICSC would be the competent body to submit its views to the Committee; but it was for delegations to decide whether it was appropriate to consult ICSC. In any event, a unilateral decision by the United Nations on a question of that nature would have an impact on the system as a whole.

15. **Ms. Silot Bravo** (Cuba), reverting to the question whether the 1954 report remained valid, said that the statement of the Vice-Chairman of ICSC confirmed her delegation's fears about the impact which the adoption of the proposed Code would have on the core values of the international civil service, inasmuch as the former standards of conduct had applied to all United Nations organizations, whereas the new Code applied only to United Nations staff. All the bodies involved should be consulted, in particular the Sixth Committee and ICSC.

16. **Mr. Sulaiman** (Syrian Arab Republic) recalled that, at the previous meeting, his delegation had requested that the draft should be submitted to ICSC and ACABQ. That request had been supported by other delegations and he hoped that the Bureau would take it into consideration.

17. **Mr. Sial** (Pakistan) asked which bodies had reviewed the text of chapter I of the Staff Rules before its adoption. That information would be useful in determining which bodies should be consulted regarding the Code of Conduct.

18. **Mr. Armitage** (Australia) expressed surprise at the comment of the Vice-Chairman of ICSC that a unilateral decision by the United Nations would have an impact on the system as a whole and wondered whether that impact would be negative. Several delegations had suggested that all the entities involved should review the proposed Code of Conduct, but he doubted whether such an extremely complicated procedure would be useful.

19. **Mr. Bond** (United States of America) said that submitting the draft to ICSC and ACABQ would waste a great deal of time and would serve no purpose. If necessary, those bodies could participate in informal consultations.

20. **Ms. Salim** (Assistant Secretary-General for Human Resources Management) said, in reply to the representative of Pakistan, that the Fifth Committee alone had elaborated

the text of chapter I of the Staff Rules. No other body had been consulted.

21. **The Chairman** said that, if she heard no objection, she would take it that the Committee had concluded its general debate on the question.

22. *It was so decided.*

The meeting rose at 4 p.m.

United Nations A/C.5/52/SR.57

General Assembly
Fifty-second session

Official Records

Distr.: General
8 May 1998

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Fifth Committee

Summary record of the 57th meeting

Held at Headquarters, New York, on Wednesday, 25 March 1998, at 10 a.m.

Chairman: Ms. Daes (Vice-Chairman) ..... (Greece)

Chairman of the Advisory Committee on Administrative and Budgetary Questions: Mr. Mselle

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Agenda item 119: Pattern of conferences (*continued*)

Other matters

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98-80389 (E)

In the absence of Mr. Chowdhury (Bangladesh), Ms. Daes (Greece), Vice-Chairman, took the Chair.

The meeting was called to order at 10.15 a.m.

Agenda item 119: Pattern of conferences (*continued*) (A/C.5/52/L.26)

1. **Mr. Ho** (Singapore), reporting on the informal consultations which had been held on the subject of official United Nations holidays, said that participants had considered five possible solutions. The first was to increase the total number of holidays to 10. The second, a proposal by the Assistant Secretary-General for Human Resources Management, was to grant an additional holiday and to offset it by adding an extra half hour to each of 16 working days per year. The third proposal was to replace an existing United Nations holiday by the Islamic holiday of Id al-Adha and the fourth to have eight fixed and one flexible holiday. The final proposal was to maintain the status quo.

2. Each proposal had received varying degrees of support, but it had not been possible to achieve consensus on any one of them. Some participants had wanted the Committee to give the Secretariat clear instructions on how to implement Assembly resolution 52/214 A, while others considered that it was for the Secretary-General to decide in the matter. It had finally been concluded that the coordinator of the consultations should report to the Committee that consensus could not be achieved.

3. He had been asked by the representative of the Syrian Arab Republic to reiterate that delegation's earlier request for an informal meeting to be scheduled during the current part of the resumed session of the General Assembly to consider the issues of the translation of documents relating to the standardization of geographical names and of the translation and issuance of press releases.

Draft decision A/C.5/52/L.26

4. **Mr. Atiyanto** (Indonesia), introducing draft decision A/C.5/52/L.26 on the implementation of General Assembly resolution 52/214, section A, paragraphs 5 and 6 on behalf of the Group of 77 and China, said that the General Assembly would decide that the United Nations official holidays should be set at ten days in order to observe the two holidays of Id al-Fitr and Id al-Adha at the United Nations Headquarters and other United Nations duty stations. The draft text was based on the firm belief of the 132 States members of the Group of 77 and China that Id al-Fitr and Id al-Adha should be fully observed as official United Nations holidays in compliance with Assembly resolution 52/214 A. He therefore hoped that the text could be adopted by consensus.

5. **The Chairman** said that the Committee would take a decision on the draft text at a later meeting.

Other matters

6. **Mr. Atiyanto** (Indonesia), speaking on behalf of the Group of 77 and China, expressed the hope that, in preparing the Committee's programme of work, the Bureau would allot sufficient time for the consideration of procurement reform under agenda item 114 so as to permit the coordinator of that topic to complete his work.

7. **Mr. Sulaiman** (Syrian Arab Republic) expressed his delegation's support for the suggestion made by the representative of Indonesia, on behalf of the Group of 77 and China, that more time should be allowed for consideration of procurement reform. Referring to the representative of Singapore's comment about an informal meeting to consider the translation of documents relating to the standardization of geographical names and the translation of press releases, he hoped that the Bureau would give appropriate consideration to those issues. His delegation would submit a proposal in that connection in due course.

8. **Mr. Sial** (Pakistan) asked what action had been taken by the Secretary-General to implement the provisions of paragraphs 24 and 25 of General Assembly resolution 52/214 B.

9. **Mr. Odaga-Jalomayo** (Uganda) reiterated his earlier request to the Secretariat for information on the number of posts at the D-2 and higher levels that had existed in 1996 and the current number of such posts broken down by nationality and gender.

10. **Mr. Elmontaser** (Libyan Arab Jamahiriya) expressed his delegation's support for the Syrian representative's remarks on the translation of documents relating to the standardization of geographical names and other documents into the official languages. He hoped that adequate time would be allocated for consideration of the matter in informal consultations.

11. **Ms. Silot Bravo** (Cuba) asked for sufficient time to be allotted in the Committee's programme of work for the consideration, under agenda item 119, of measures to ensure the necessary resources for the upgrading of conference rooms and interpretation booths.

12. **Mr. Medina** (Morocco) said that his delegation had found increasingly of late that it was receiving communications from the Secretariat in English. Upon advising the Departments concerned, unofficially, that it

would prefer to receive them in Arabic or French, it had been informed that that would not be possible, as there were not enough staff members with the necessary skills to translate the communications in question. His delegation wished to ask the Secretariat why that was so, and why the report of the Phase IV Working Group on Reimbursement of Contingent-owned Equipment had not yet been issued.

13. **Mr. Farid** (Saudi Arabia) repeated his delegation's earlier request for information on the number of staff whose posts had been transferred from the regular budget to the support account and the number of posts occupied by nationals of developing countries which had been abolished.

14. **Mr. Perfiliev** (Officer-in-Charge, Department of General Assembly Affairs and Conference Services), replying to the question concerning the implementation of paragraphs 24 and 25 of resolution 52/214 B, said that appropriate instructions had been given to the Editorial Control Unit, which had been enforcing the provisions of the resolution. Focal points for documentation had been set up in all substantive departments and regular meetings of the focal points were held to coordinate efforts aimed at ensuring that all documents were issued on time.

15. **Ms. Letrot** (France) said that she shared the concerns expressed by the representative of Morocco about correspondence being received from the Secretariat in English. She also wished to point out that her delegation had not yet received the French version of the report of the Phase IV Working Group on Reimbursement of Contingent-owned Equipment.

16. **Mr. Farid** (Saudi Arabia) wondered whether the representative of the Secretariat could shed light on the action taken by his Department in situations where there was a failure to implement resolutions of the General Assembly.

17. **Mr. Perfiliev** (Officer-in-Charge, Department of General Assembly Affairs and Conference Services) assured the representatives of Morocco and France that his Department always honoured requests for the translation of documents to be transmitted to Permanent Missions. It was possible, however, that requests might not have been made for the translation of some documents.

18. With regard to the implementation of General Assembly resolutions, the Department which he represented did its utmost to discharge its own responsibilities in a timely manner and to alert other substantive departments to their responsibilities by issuing implementation memorandums. It was for those departments, however, to then implement the assembly's mandates.

The meeting rose at 10.45 a.m.

United Nations A/C.5/52/SR.58

General Assembly
Fifty-second session

Official Records

Distr.: General
8 May 1998

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Fifth Committee

Summary record of the first part* of the 58th meeting
Held at Headquarters, New York, on Thursday, 26 March 1998, at 3 p.m.

Chairman: Mr. Chowdhury ..... (Bangladesh)
later: Ms. Daes (Vice-Chairman) ..... (Greece)
Chairman of the Advisory Committee on Administrative and Budgetary Questions: Mr. Mselle

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Agenda item 157: United Nations reform: measures and proposals (*continued*)

Agenda item 116: Proposed programme budget for the biennium 1998-1999 (*continued*)

Office accommodation at the Palais Wilson (*continued*)

United Nations International Partnership Trust Fund (*continued*)

Agenda item 136: Financing of the United Nations Mission of Observers in Tajikistan (*continued*)

Agenda item 141: Financing of the United Nations Support Mission in Haiti (*continued*)

* The summary record of the second part of the meeting appears as document A/C.5/52/SR.58/Add.1.

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98-80395 (E)

Agenda item 142: Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations (*continued*)

Agenda item 153: Human resources management (*continued*)

Agenda item 159: Financing of the United Nations Observer Mission in Angola (*continued*)

Organization of work

Agenda item 119: Pattern of conferences (*continued*)

The meeting was called to order at 3:30 p.m.

Agenda item 17: Appointments to fill vacancies in subsidiary organs and other appointments (*continued*)

(e) Appointment of members of the United Nations Administrative Tribunal (*continued*) (A/52/105/Add.1; A/C.5/52/9/Add.1)

1. **The Chairman** drew the Committee's attention to the note by the Secretary-General contained in document A/52/105/Add.1, notifying the General Assembly of the death of Mr. Francis Spain of Ireland, a member of the United Nations Administrative Tribunal, and to the note by the Secretary-General contained in document A/C.5/52/9/Add.1 informing the General Assembly that the Government of Ireland had nominated Mr. Kevin Haugh to fill the vacancy.

2. He would take it that the Committee wished to recommend by acclamation the appointment of Mr. Kevin Haugh to serve the remainder of the term of office of Mr. Francis Spain, namely until 31 December 1998.

3. *It was so decided.*

Agenda item 113: Financial reports and audited financial statements, and reports of the Board of Auditors (*continued*) (A/C.5/52/L.28)

Draft resolution A/C.5/52/L.28

4. **Mr. Blukis** (Latvia), introducing the draft resolution on behalf of the Chairman, said that the word "reports" should be substituted for "report" in the first line of the first preambular paragraph. In addition, the word "its" in the second line of paragraph 2 should be replaced by "the Secretary-General's".

5. *Draft resolution A/C.5/52/L.28, as orally amended, was adopted.*

Agenda item 114: Review of the efficiency of the administrative and financial functioning of the United Nations (*continued*) (A/52/488)

Agenda item 153: Human resources management (*continued*)

Agenda item 157: United Nations reform: measures and proposals (*continued*)

6. **The Chairman** proposed that the Committee, in view of the time constraints it faced, should defer its consideration of the question of its working methods to the second part of the resumed session. In the meantime, he would welcome comments and suggestions from members of the Committee, which would be reflected in the revised paper on the question.

7. *It was so decided.*

8. **The Chairman** drew the Committee's attention to the proposed United Nations Code of Conduct and proposed that it should recommend to the General Assembly that, having considered the report of the Secretary-General on the proposed United Nations Code of Conduct (A/52/488), and taking into account the views expressed by Member States, it should:

(a) Invite the International Civil Service Commission to examine the proposed Code of Conduct, as a matter of priority, at its forthcoming session;

(b) Request the Fifth Committee, in the light of the comments and observations of the International Civil Service Commission, to revert to the question of the proposed United Nations Code of Conduct during the resumed fifty-second session, with a view to taking a decision on it.

9. **Ms. Powles** (New Zealand) said that, while her delegation did not believe that it was appropriate to refer the draft Code to the International Civil Service Commission (ICSC), since the Code was not intended for system-wide application, it would respect the wishes of those delegations that felt otherwise. The Committee should, however, seek a commitment from ICSC that its review would be completed in time for the second part of the resumed session in May, when she hoped that the Committee would be able to take a decision on the matter.

10. **Mr. Sulaiman** (Syrian Arab Republic) said that his delegation agreed with the proposal that the Code should be referred to the International Civil Service Commission, as had been its wish from the outset. The Advisory Committee should consider the Code since an administrative opinion was also needed and the Advisory Committee was the competent body.

11. **Mr. Bond** (United States of America) said that his delegation did not believe that referral of the proposed Code to ICSC was warranted or necessary, especially in view of the General Assembly's request that the matter should be expedited. He hoped that ICSC would give the matter prompt attention and thus enable the Committee to take a decision at the next part of the resumed session.

12. **Mr. Sulaiman** (Syrian Arab Republic) said that the Chairman had been hasty in proposing a decision on the matter. His delegation would have liked to defer a decision to the following day in order to give Member States an

opportunity to consider the question of referring the Code to the Advisory Committee, which would contribute to the adoption of a more informed decision. He therefore proposed that the matter should be deferred to the following day.

13. **Mr. Armitage** (Australia), supported by **Mr. Yussuf** (United Republic of Tanzania), said that his delegation had joined in the consensus to refer the proposed Code to ICSC, could not agree to refer it to yet another body, namely, the Advisory Committee.

14. **The Chairman** noted that there was general agreement on the importance of the Code and appealed to members to support the draft decision he had proposed orally.

15. *The draft decision was adopted.*

Agenda item 116: Proposed programme budget for the biennium 1998-1999 *(continued)* (A/C.5/52/L.23/Rev.1)

Office accommodation at the Palais Wilson (continued)

Draft decision A/C.5/52/L.23/Rev.1

16. **The Chairman** proposed that paragraph (f) of the draft text should be amended to read as follows:

> "Decides that a cost-benefit analysis of the use of existing conference facilities available at the Palais des Nations in Geneva shall be submitted to the General Assembly at its next resumed fifty-second session".

17. *Draft decision A/C.5/52/L.23/Rev.1, as orally revised, was adopted.*

18. **Ms. Silot Bravo** (Cuba) expressed regret at the Committee's inability to specify which entity should carry out the cost-benefit analysis of the proposed move. That inability to adopt specific policy decisions damaged the credibility of the Committee, which was after all the guardian of the Organization's resources.

19. **Mr. Ekorong A Ndong** (Cameroon) said that, even though his delegation had joined the consensus on the draft decision, it regretted the vague nature of the text, which did not reflect the spirit that should inspire the Committee's decisions. He noted an apparent reluctance on the part of the Committee to refer specifically to the Joint Inspection Unit (JIU) and the Office of Internal Oversight Services (OIOS) and wondered why those two oversight bodies were becoming taboo in the Committee.

20. **The Chairman** said that he too shared the concerns just expressed by the representative of Cameroon. Indeed, it was a matter of concern not only for the Committee but for the Organization as a whole.

United Nations International Partnership Trust Fund (continued) (A/52/7/Add.9)

21. **The Chairman** drew the Committee's attention to the question of the United Nations International Partnership Trust Fund and proposed that it should recommend to the General Assembly that it should take note of the report of the Advisory Committee on Administrative and Budgetary Questions on the United Nations International Partnership Trust Fund (A/52/7/Add.9) and request the Secretary-General, taking into account the comments made in the Committee (A/C.5/52/SR.56), to report to the General Assembly, on a regular basis, on the activities of the Trust Fund and other related matters.

22. **Mr. Atiyanto**, speaking on behalf of the Group of 77 and China, said that more time was needed for the consideration of the item and he therefore wished to request that its consideration should be deferred to the second part of the resumed session.

23. **Mr. Blukis** (Latvia) noted that there was really little difference between the proposal of the Chairman and that of the Chairman of the Group of 77 and China, since the draft decision would provide for what amounted to a deferral of the item.

24. *The draft decision was adopted.*

Agenda item 136: Financing of the United Nations Mission of Observers in Tajikistan *(continued)* (A/C.5/52/L.25)

Draft resolution A/C.5/52/L.25

25. **Mr. Moktefi** (Algeria), introducing draft resolution A/C.5/52/L.25 on UNMOT, explained that it had been suggested in informal consultations that $15 million gross should be appropriated to the Special Account for UNMOT, in addition to the $8,275,700 already appropriated by the General Assembly.

26. *Draft resolution A/C.5/52/L.25 was adopted.*

Agenda item 141: Financing of the United Nations Support Mission in Haiti *(continued)* (A/52/798 and A/52/818)

27. **The Chairman** drew the Committee's attention to the report of the Advisory Committee (A/52/818). He took it that the Committee wished to take note of that report.

28. *It was so decided.*

Agenda item 142: Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations (*continued*) (A/C.5/52/L.27)

Draft resolution A/C.5/52/L.27

29. **The Chairman** noted that the wording of the draft resolution, on Slovakia's contributions for the financing of peacekeeping operations, followed the precedent established in the case of the Czech Republic. He took it that the Committee wished to adopt it by consensus.

30. *Draft resolution A/C.5/52/L.27 was adopted.*

31. **Mr. Humenny** (Ukraine), speaking in explanation of position, said that the financial mechanism set forth in the draft resolution, while imperfect – it was not financially neutral for some Member States, including Ukraine – was a step in the right direction. Ukraine's own relocation from group B to group C for the apportionment of peacekeeping expenses had taken far too long.

32. **Mr. Thorne** (United Kingdom), speaking on behalf of the European Union, and the associate countries of Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania and Slovakia, expressed satisfaction that the draft resolution had been adopted by consensus. The European Union, however, still considered that the peacekeeping scale of assessments was in need of comprehensive revision.

33. **Mr. Bond** (United States of America) also expressed satisfaction at the successful resolution of the case of Slovakia. However, his delegation agreed with the European Union that the peacekeeping scale should be revised and simplified, the better to reflect the fundamental principle of capacity to pay. Some States wealthy enough to move to a higher group had not volunteered to do so.

34. **Mr. Varso** (Slovakia) said that his delegation associated itself with the remarks made by the representative of the United Kingdom. He welcomed the Committee's adoption of the resolution, which resolved the long-standing issue of his country's proper place in the scale of assessments for peacekeeping operations. The principle of capacity to pay had been fully taken into account.

35. **Ms. Letrot Hadj Hamou** (France) said that Ukraine's request for reclassification from group B to group C had been considered taking into account the fact that Greece had volunteered to move from group C to group B; the General Assembly had adopted resolution 50/224, which had established an ad hoc arrangement in that regard. Ukraine had been in group C ever since.

36. **Mr. Atiyanto** (Indonesia), speaking on behalf of the Group of 77 and China, recalled that the main guidelines and principles governing the scale of assessments had been established by the General Assembly. It was imperative to continue to differentiate in apportioning expenditure between the regular budget and the peacekeeping budget. The financing of peacekeeping operations should reflect the special responsibilities of the permanent members of the Security Council. Furthermore, developed countries were presumably better able to pay than developing countries.

37. **Mr. Herrera** (Mexico) said that the current arrangement reflected the responsibilities of the permanent members of the Security Council, with their global interests. In view of their greater capacity to pay, they should not seek to evade those responsibilities.

38. **Mr. Zhang Wanhai** (China) said that the situation of Slovakia was a special case on which it was appropriate for the Fifth Committee to decide. Concerning Ukraine, the General Assembly had already taken measures to reclassify it, and consequently it was in group C. His delegation agreed with the remarks made by the representative of Indonesia on behalf of the Group of 77 and China.

39. **Mr. Thorne** (United Kingdom), speaking only on behalf of his own country, expressed agreement with the statement made by the representative of France.

40. **The Chairman**, recalling General Assembly resolutions 52/217 and 52/218, which had apportioned amounts totalling $52,485,450 gross for the international tribunals for Rwanda and the Former Yugoslavia in accordance with the scale of assessments applicable to peacekeeping operations for the year 1998, said that he took it that the Committee agreed that the provisions of draft resolution A/C.5/52/L.27 should be applied *pari passu* to the related assessments for the international tribunals in 1998.

41. *It was so decided.*

Agenda item 153: Human resources management *(continued)*

42. **The Chairman**, in connection with the report of OIOS on the audit of the use of consultants (A/52/814), proposed that the Committee should recommend to the General Assembly that it should decide to consider the report of the Office of Internal Oversight Services on the audit of the use of consultants (A/52/814), in the context of its consideration of the comprehensive report of the Secretary-General on the engagement and use of consultants, as requested by the General Assembly in paragraph 4 of section VI of its

resolution 51/226 under the agenda item entitled "Human resources management", at its fifty-third session.

43. *It was so decided.*

44. **The Chairman**, in connection with the Secretary-General's report on privileges and immunities (A/C.5/52/2), proposed that the Committee should recommend to the General Assembly that it should "decide to defer consideration of the report of the Secretary-General on behalf of and with the approval of the members of the Administrative Committee on Coordination on respect for the privileges and immunities of officials of the United Nations and the specialized agencies and related organizations to its fifty-third session."

45. *It was so decided.*

46. **Ms. Silot Bravo** (Cuba) noted that the decision just adopted had already been taken informally during the main part of the fifty-second session, but had inadvertently been omitted from the report. The oversight was regrettable and reflected adversely on the working methods of the Committee.

Agenda item 159: Financing of the United Nations Observer Mission in Angola (*continued*)

Draft resolution A/C.5/52/L.29

47. **Mr. Smyth** (Ireland), introducing draft resolution A/C.5/52/L.29, drew attention to paragraph 11, which apportioned additional funds for the United Nations Observer Mission in Angola, and to paragraphs 8 and 9.

48. *Draft resolution A/C.5/52/L.29 was adopted.*

Organization of work

49. **The Chairman** said that he had a number of outstanding items to report on, including procurement, the Integrated Management Information System (IMIS) project, the tribunal for Rwanda, and Western Sahara, as well as the Joint Inspection Unit (JIU) and the Office of Internal Oversight Services (OIOS), which had been discussed in informal consultations and would be laid before the Committee for formal decisions the following day. In the meantime, the coordinators for each of the first four issues would brief the Committee.

50. **Mr. Armitage** (Australia), the coordinator on procurement, said that good progress had been made in informal consultations on the draft text on procurement reform and outsourcing. Twenty-five operative paragraphs had been adopted. A cluster of related paragraphs concerning preferential treatment for certain groups of countries was still outstanding, as were the Secretary-General's request for reclassification of the Director of the Procurement Division and the issue of outsourcing practices. The Chairman of the Group of 77 and China was committed to a resolution, and only a little more time was required for completion of the informal consultations.

51. **Mr. Riva** (Argentina), coordinator of the informal consultations on IMIS, said that progress had been made at the two informal meetings which had been held, but at least one more meeting was needed to negotiate a consensus on the draft resolution.

52. **Mr. Atiyanto** (Indonesia), speaking on behalf of the Group of 77 and China, said that the Group of 77 and China fully supported the statement by the representative of Australia on procurement reform and outsourcing practices. On IMIS, the issues had become very complex, and the Committee should try to reach agreement in an informal meeting.

53. **Mr. Hanson** (Canada), coordinator of the informal consultations on the tribunal for Rwanda, said that two short meetings had been held, but it had not been possible to begin consideration of a draft decision or draft resolution. He recommended that the item should be taken up at the next part of the resumed session.

54. **The Chairman** said that he took it that the Committee wished to defer consideration of item 137 to the next resumed session.

55. *It was so decided.*

56. **Mr. Hanson-Hall** (Ghana), coordinator on financing of the United Nations Mission for the Referendum in Western Sahara (MINURSO), said that no consensus had been reached on the provisional draft resolution under discussion in informal consultations. One particular paragraph remained a stumbling block. It had, however, emerged that there was agreement on financing MINURSO.

57. **Mr. Zahid** (Morocco) said that at the time of the introduction of the report on the financing of MINURSO (A/52/730 and Add.2), his delegation had refrained from commenting on certain aspects which it believed had nothing to do with financing, in the hope of accelerating the approval of a draft resolution on the subject. Nearly all draft resolutions on peacekeeping operations were adopted without any difficulty. The Advisory Committee had reported that consultations were under way between the United Nations and the Government of Morocco on the establishment of two new identification centres, bringing the number of identification centres to 11 instead of 9; the

delegation of Algeria had taken the position that it could not agree to that.

58. The Secretary-General had decided (S/1998/35, para. 30) that identification sessions initially scheduled to take place in Tan Tan and Goulemine for applicants resident in northern Morocco should be held at two northern locations, El Kelaa des Sraghna and Sidi Kacem. It was clear that that was a decision which had already been taken by the Secretary-General, and that Algeria had never been asked to approve the establishment of the two new centres.

59. The purpose of the provisional draft resolution on the financing of MINURSO was simply to allocate the financial resources needed to ensure the implementation of the settlement plan, which had been approved by the Security Council. As everyone knew, the impasse in the implementation of the plan resulted from the refusal of the other party to participate in the identification exercise. The reports of the Secretary-General of September and November 1997 (S/1997/742 and S/1997/882) had drawn attention to that situation. It was only after the signing of the Houston agreements that it had been possible to resume the identification process. Since then, progress had been made, as reported in documents S/1998/35 and S/1998/142. The identification centres were essential to the identification process, and, after consultations with Morocco and the other party, the United Nations had decided to open 12 centres, of which 9 would operate concurrently (S/1997/882, para. 61). According to information from the Secretariat and the Advisory Committee, of the 12 centres, only 11 were open. It was impossible to understand Algeria's objection to paragraph 7 of the Advisory Committee's report (A/52/816), which merely reproduced information which had been communicated by the Secretariat, and confirmed in informal consultations. It was impossible to take the position that the identification process should be completed as soon as possible, but refuse to agree to the establishment of new centres which had already been authorized, or to refuse to endorse the Advisory Committee's observations.

60. His delegation appealed to the delegation of Algeria, which had pledged full support for the settlement plan and the Houston agreements, to show flexibility, so as to provide to MINURSO the necessary resources to implement its mandate.

61. **The Chairman** said that he had sought guidance on how to make progress, not on the substance of agenda items.

62. **Mr. Mesdoua** (Algeria) said that the representative of Morocco excelled in the art of questioning facts. It was indicated in paragraph 4 of the report of the Secretary-General (S/1998/35) that nine centres would operate concurrently. According to paragraph 7 of the Advisory Committee's report (A/52/816), discussions were under way to open two additional centres in northern Morocco; when asked for explanations, the Secretariat had said that there were no identification centres in northern Morocco, only two operational annexes, and there would not be more than nine centres. The Secretary-General had decided to establish centres, on the proposal of the Special Representative, after consultation with the parties concerned. The texts were very clear. The Advisory Committee was an advisory body which made recommendations to Member States. So far, his delegation had shown complete flexibility, and had responded favourably to the proposal made in informal consultations by the representative of Portugal, supported by the representative of the United States of America, that paragraph 5 should be deleted from the provisional draft resolution. The question of Western Sahara had been considered at the political level in the Security Council and the Fourth Committee, and the Fifth Committee was responsible only for its administrative and budgetary aspects. He appealed to the representative of Morocco to respond favourably to the coordinator's appeal so as to enable MINURSO to complete its work.

63. **Mr. Zahid** (Morocco) said that ever since 1975, Morocco had shown incomparable flexibility. The Secretary-General had said in the report cited by the representative of Algeria that he had decided to establish two centres in northern Morocco; the report had been approved and endorsed by the Security Council. Morocco could not accept the idea that the draft resolution on MINURSO was different from other draft resolutions on peacekeeping operations. The representative of Portugal had informally proposed the deletion of a paragraph, which was what Algeria wanted, but it was not acceptable to his delegation.

64. **Mr. Mesdoua** (Algeria) said that there could be no question of pirating a draft resolution which belonged to the entire Committee.

65. **The Chairman**, making use of his prerogative as Chairman of the Committee, decided to terminate the discussion of item 125 at the current meeting. He requested the coordinator of the informal consultations on the item to continue his efforts to reach an agreement.

Agenda item 119: Pattern of conferences (*continued*) (A/C.5/52/L.26)

Draft decision A/C.5/52/L.26 (continued)

66. **Ms. Shearouse** (United States of America) said that the United States believed that, as a secular organization, the United Nations should respect the views and religions of all

its Member States, in keeping with the spirit of the Charter. Her delegation therefore wished to propose the following amended draft decision on the question of the implementation of paragraphs 5 and 6 of General Assembly resolution 52/214 A:

> "The General Assembly, reiterating its resolution 52/214 of 22 December 1997, decides that the United Nations official holidays shall be maintained at nine days, and requests the Secretary-General to take into account, *inter alia*, the local customs and practices of the United Nations Headquarters and other duty stations when determining the calendar of officially observed holidays."

67. **Mr. Thorne** (United Kingdom), speaking on behalf of the European Union, said that it might be useful to hear the comments of the Assistant Secretary-General for Human Resources Management, since the Union believed that it was for the Secretary-General to take the decision on the question of the official holidays.

68. **Ms. Salim** (Assistant Secretary-General for Human Resources Management) said that the Secretary-General considered that he was already in full compliance with the provisions of resolution 52/214 A and she was therefore not in a position to communicate any additional information to the Committee.

69. **Mr. Atiyanto** (Indonesia), speaking on behalf of the Group of 77 and China, said that the Group could not accept the proposal made by the representative of the United States, since it contravened the spirit and letter of draft decision A/C.5/52/L.26. He appealed to the Committee to support that draft decision, which should be adopted by consensus.

70. **Mr. Al-Khalifa** (Qatar), speaking on behalf of the countries members of the Organization of the Islamic Conference and his own delegation, supported the statement made by the representative of Indonesia on behalf of the Group of 77 and China. He drew attention to the fact that *Journal of the United Nations* No. 1998/58 had not indicated that the Fifth Committee would consider agenda item 119 at the current meeting. Further, there had been no information regarding the current meeting on the meetings board. He hoped that those lapses were not part of a scheme to delay consideration of the draft decision. It was high time for the Committee to take a decision on the draft.

71. **The Chairman** said that he regretted that the meeting had not been announced on the meetings board. The agenda item had not been indicated in the *Journal* because, when the *Journal* was being prepared, the Committee had not yet decided whether or not the item would be discussed at the current meeting. The representative of Indonesia had proposed that the Committee should adopt draft decision A/C.5/52/L.26 by consensus, and he wondered whether delegations were prepared to do so.

72. **Ms. Shearouse** (United States of America) said that her delegation had proposed an amendment to the draft decision, and she insisted that the Committee should take a decision on that amendment.

73. *Ms. Daes (Greece), Vice-Chairman, took the Chair.*

74. **Mr. Rahmtalla** (Sudan) said that his delegation had not been convinced by the Chairman's explanation of why the agenda item had not been listed in the *Journal*. His delegation supported the statement made by the representative of Indonesia on behalf of the Group of 77 and China. What the United States delegation was proposing was not an amendment to the draft decision but a new draft decision.

75. **Mr. Sial** (Pakistan) said that he supported the statements made by the representatives of Indonesia and Qatar. His delegation shared other delegations' concern that the agenda item had not been announced in the *Journal*. The representative of the United States of America could not request the Committee to take a decision on its proposal, since the United States had introduced an entirely new draft decision. In that regard, the Committee should abide by the provisions of rule 91 of the rules of procedure of the General Assembly.

76. **Ms. Shearouse** (United States of America) proposed that consideration of the item should be deferred to a meeting of the Committee to be held on the following day in order to enable delegations to study the United States amendment.

77. **Mr. Atiyanto** (Indonesia), speaking on behalf of the Group of 77 and China, said that, since the Group had introduced the draft decision on the previous day, the 24-hour requirement had been met. The Committee could therefore take a decision at the current meeting.

78. **Mr. Al-Khalifa** (Qatar) supported the statement made by the representative of Indonesia.

79. **Mr. Rahmtalla** (Sudan) said that the Committee had already begun taking decisions on a number of drafts, and there was no reason not to take action on draft decision A/C.5/52/L.26.

80. **Mr. Zahid** (Morocco) said that the proposal made by the United States delegation was a radical departure from the draft decision. His delegation supported the statement made by Qatar on behalf of the countries members of the

Organization of the Islamic Conference, and it hoped that the Committee could adopt the text submitted by the Group of 77 and China, while allowing delegations to make statements of position.

81. **The Chairman** said that the members of the Committee should be flexible and endeavour to adopt the draft decision by consensus. In order to avoid putting the draft decision to a vote, she suggested that consultations should be continued until the next day with a view to reaching a consensus.

82. **Mr. Al-Khalifa** (Qatar) said that there was no need to postpone consideration of the draft decision when the majority of the members of the Committee were in favour of voting on the draft at the current meeting.

83. **Mr. Lozinski** (Russian Federation) supported the Chairman's suggestion to continue consultations on the draft decision and take action on the draft on the following day.

84. **Mr. Atiyanto** (Indonesia), speaking on behalf of the Group of 77 and China, supported the statement made by the representative of Qatar. There was no reason to defer consideration of the item.

85. **Mr. Herrera** (Mexico) said that his delegation supported the Chairman's suggestion to defer consideration of the item, and hoped that a consensus would be reached on the draft.

86. **Mr. Thorne** (United Kingdom), speaking on behalf of the European Union, said that efforts should be made to avoid putting the draft decision to a vote. Consultations should therefore be continued with a view to reaching a consensus.

87. **Mr. Hanson** (Canada) said that his delegation supported the Chairman's suggestion to defer consideration of the draft decision, since it was extremely important to reach a consensus on the draft.

88. **Mr. Watanabe** (Japan) said that his delegation associated itself with the other delegations that had supported the Chairman's suggestion. The Committee should make an effort to reach a consensus on the matter.

89. **Mr. Zahid** (Morocco) said that the Group of 77 and China had not requested a vote on the draft decision. It had only requested that the Committee take action on the draft at the current meeting.

90. **Mr. Atiyanto** (Indonesia), speaking on behalf of the Group of 77 and China, said that the Group attached the utmost importance to the adoption of the draft decision by consensus, and it requested the Committee to proceed to take action on the draft.

91. **Mr. Jaremczuk** (Poland) said that his delegation supported all the delegations that were in favour of deferring action on the draft decision.

92. **The Chairman** said that, while she took note of the statements made by the delegations of Qatar, Indonesia and Morocco, those delegations should demonstrate flexibility and agree to a deferment of action on the draft decision until the following day.

93. **Mr. Atiyanto** (Indonesia), speaking on behalf of the Group of 77 and China, said that delegations had had ample time to consider the draft decision. The Committee – and the United States delegation in particular – should endeavour to be flexible and to understand the position of the Group of 77 and China.

94. **Mr. Al-Khalifa** (Qatar) supported the statement made by the representative of Indonesia. There was no reason to postpone action on the draft decision.

95. **The Chairman** said that the Committee had before it three proposals: to take action on draft decision A/C.5/52/L.26; to take action on the amendment proposed by the United States of America; and to defer consideration of action on the draft to the following day. She read out rule 116 of the rules of procedure of the General Assembly, which dealt with the adjournment of debate on an item.

96. **Mr. Zahid** (Morocco) supported the statement made by the representative of Indonesia. His delegation was not certain whether the rule which the Chairman had invoked was applicable to the debate on the draft decision, especially since the representative of the United States of America was proposing a new draft decision, not an amendment. There was no need to defer action on the draft, and all delegations should demonstrate greater flexibility.

97. **Mr. Rahmtalla** (Sudan) supported the statement made by the representative of Morocco.

The first part of the meeting ended at 6.10 p.m.

United Nations A/C.5/52/SR.58/Add.1

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Fifth Committee

Summary record of the second part of the 58th meeting*
Held at Headquarters, New York, on Thursday, 26 March 1998, at 6 p.m.

Chairman: Ms. Daes (Vice-Chairman) ..... (Greece)
Chairman of the Advisory Committee on Administrative and Budgetary Questions: Mr. Mselle

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Agenda item 119: Calendar of conferences (*continued*)

* The summary record of the first part of the meeting appears as document A/C.5/52/SR.58.

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The second part of the meeting was called to order at 6.20 p.m.

Agenda item 119: Calendar of conferences (*continued*) (A/C.5/52/L.26)

1. **The Chairman** asked if the Committee was ready to adopt draft decision A/C.5/52/L.26 by consensus.

2. **Mr. Hanson** (Canada) said that the point at issue was whether the Committee's decision should be postponed to the following day. In accordance with the rules of procedure, the Committee should take a decision on that motion before it could continue.

3. **The Chairman** said that under rule 113 of the rules of procedure, a ruling first had to be made on the point of order officially submitted by the representative of Canada. If there was no objection, she would consider that the Committee decided by consensus to suspend the meeting.

4. **Mr. Atiyanto** (Indonesia), speaking on behalf of the Group of 77 and China, called for the Committee to decide immediately on the draft decision.

5. **The Chairman** said that a point of order had been raised, and had to be considered first.

6. **Mr. Lozinski** (Russian Federation) supported the Canadian proposal.

7. **Mr. Watanabe** (Japan) pointed out that consideration of draft decision A/C.5/52/L.26 did not appear in the agenda for the meeting. He therefore supported the Canadian proposal that the decision should be postponed.

8. **Mr. Mirmohammad** (Islamic Republic of Iran) said he fully supported the representative of Indonesia, and recalled that the first motion was that by Qatar, whose representative had requested that the Committee should decide on the draft decision.

9. **The Chairman** said that the wish expressed by the representative of Qatar had not been formally submitted as a proposal.

10. **Mr. Herrera** (Mexico) said he believed that if it took a short break, the Committee would be able to reach a consensus.

11. **Mr. Blukis** (Latvia) emphasized that under the terms of rule 116 on adjournment of the debate, two speakers could speak in favour of adjournment and two against. In the present case, there had been three statements on one side and two on the other.

12. **The Chairman** said that the representative of Latvia was right, and recalled the provisions of rule 119 of the rules of procedure.

13. **Mr. Atiyanto** (Indonesia) emphasized that under the terms of rule 116 the motion should be immediately put to the vote after two speakers had spoken in favour of adjournment of the debate and two against.

14. *The motion for adjournment of the meeting was put to the vote.*

15. *The motion was rejected by 46 votes to 31.*

16. **Mr. Lozinski** (Russian Federation) asked whether there was a quorum.

17. **Mr. Acakpo-Satchivi** (Secretary of the Committee) said that the quorum was 94 and that at the start of the procedural discussion, the Secretariat had counted 95 delegations.

18. **Mr. Moktefi** (Algeria) said that the meeting could continue, as there had been a quorum at the time of the vote. The Committee could now decide on the draft decision under discussion.

19. **Mr. Lozinski** (Russian Federation) said it had been his understanding that there had been a quorum at the beginning of the meeting. He would like to know if that had still been the case at the time of the vote.

20. **Mr. Acakpo-Satchivi** (Secretary of the Committee) said that it was at the start of the meeting that the Secretariat had counted 95 delegations. The number of delegations present varied in the course of the meeting, and in addition, delegations present during a vote were not required to vote.

21. **The Chairman** said she believed that there had not been a quorum.

22. **Mr. Hanson** (Canada) invited the Chairman to rule in the light of the last sentence of rule 108 of the rules of procedure.

23. **Mr. Novruzov** (Azerbaijan) proposed that delegations should be counted in order to verify whether there was a quorum.

24. **Ms. Goicochea Estenoz** (Cuba) read out the first sentence of rule 108 and said that to open the meeting it was sufficient for 46 delegations to be present. Given the definition of majority given in rules 85 and 86 of the rules of procedure, the procedure that had been followed was correct.

25. **Mr. Hanson** (Canada) noted that the representative of Cuba had referred to the first sentence of rule 108, whereas the decision to be taken stemmed from the second sentence.

26. **Ms. Goicochea Estenoz** (Cuba) asked if a representative of the Department of Legal Affairs could be consulted, and said that it would be interesting to know how many delegations had been present when some of the Committee's previous decisions had been adopted.

27. **Mr. Sial** (Pakistan) said that since there had been a quorum at the start of the procedural discussion, the Committee must take a decision on the draft decision. Rule 128 provided that the voting could not be interrupted.

28. **Mr. Rahmtalla** (Sudan) said that he supported the Cuban delegation. The Secretariat had indicated that there had officially been a quorum. The Committee had ruled on the motion; it must now decide on the draft decision.

29. **Mr. Atiyanto** (Indonesia) said that he supported the representatives of Pakistan and the Sudan.

30. **The Chairman** asked if the Committee was ready to adopt draft decision A/C.5/52/L.26 without putting it to a vote.

31. **Ms. Shearouse** (United States of America) said that her delegation was not in a position to support the draft decision as currently worded. She proposed a number of changes and read out the revised English version, the last two lines of which read: "at nine days, and to observe the two holidays referred to in General Assembly resolution 52/214, section A, paragraphs 5 and 6, at the United Nations Headquarters and other United Nations duty stations, as appropriate".

32. **Mr. Sial** (Pakistan) again drew attention to rule 128, and emphasized that the Committee had to decide on the draft decision, not on an amendment.

33. **Mr. Atiyanto** (Indonesia), speaking on behalf of the Group of 77 and China, supported the representative of Pakistan.

34. **Mr. Ahounou** (Côte d'Ivoire) said he would like the Secretariat to indicate whether the amendment proposed by the United States delegation took into account the proposal of the Group of 77 and China.

35. **Mr. Rahmtalla** (Sudan) urged the Chairman and the United States delegation not to set a precedent that could later be used against any group. The motion had been adopted, and the Committee must now take action on draft decision A/C.5/52/L.26 unamended.

36. **Mr. Darwish** (Egypt) said that his delegation wished to associate itself with the statement made by the representative of Indonesia and felt that there had been unacceptable delays. Prolonging the discussion would only increase dissension; the Committee must observe rule 120 of the rules of procedure, which stipulated that, as a general rule, no proposal should be discussed unless copies of it had been circulated to all delegations not later than the day preceding the meeting.

37. **Ms. Shearouse** (United States of America) said that the decision-making process referred to in rule 128 had not begun. If her delegation had been forced to submit its amendment orally it was because consideration of the draft decision had not been included on the agenda for the meeting. Her intention had been to distribute the amendment in writing for consideration the following day.

38. **Mr. Hanson** (Canada) drew attention to the first sentence of rule 130, which said that when an amendment was moved to a proposal, the amendment was to be voted on first.

39. **Mr. Atiyanto** (Indonesia) said that, unfortunately, he had to object strenuously to the statement by the representative of the United States of America. The amendment had been rejected by the Group of 77 and China. Submitting it at the current stage constituted a further attempt to postpone the Committee's decision. He insisted that the Committee should take action on the draft decision.

40. **The Chairman** asked whether there were any objections to adopting draft decision A/C.5/52/L.26, as amended by the United States of America, without a vote.

41. **Mr. Atiyanto** (Indonesia) said that the Group of 77 and China could not accept the United States proposal.

42. **The Chairman** asked whether she could take it that the Committee was prepared to adopt the draft decision by consensus.

43. **Ms. Shearouse** (United States of America) said that there was no consensus because her delegation was opposed to the adoption of the draft decision. She insisted that the Committee should first take action on her delegation's amendment, in accordance with rule 130 of the rules of procedure.

44. *The amendment submitted orally by the United States of America was put to the vote.*

45. *The United States oral amendment was rejected by 44 votes to 28, with 7 abstentions.*

46. **The Chairman** asked whether there were any objections to adopting draft decision A/C.5/52/L.26 without a vote.

47. **Ms. Shearouse** (United States of America) requested that the draft decision should be put to the vote.

48. *Draft decision A/C.5/52/L.26 was put to the vote.*

49. *Draft decision A/C.5/52/L.26 was adopted by 54 votes to 25, with 2 abstentions.*

50. **Mr. Herrera** (Mexico) said that he had voted in favour of draft decision A/C.5/52/L.26 since many delegations favoured it and the text reflected legitimate aspirations. He regretted, however, that the Committee had had to take a vote when it would have been possible to reach a consensus if there had been more time.

51. **Mr. Deineko** (Russian Federation) said that the draft decision had posed problems for his delegation as well. His delegation was not opposed to the idea of observing two Muslim holidays in the United Nations Secretariat; that was a legitimate demand on the part of delegations from countries in which Islam was widespread. Nevertheless, his delegation had been forced to vote against the draft decision for several reasons. To begin with, it attached great importance to the principle of adoption by consensus, believing that resorting to voting threatened to lead the Committee into a blind alley. Secondly, Member States were seeking in the present instance to encroach upon the prerogatives of the Secretary-General, who was authorized to set the holidays for United Nations staff by referring to the customs and traditions observed in the host country. Thirdly, by deciding to increase the number of holidays, the Committee was embarking on a dangerous course. The existence of various religions and the desire to observe other holidays belonging to a particular culture might give rise to numerous demands. Lastly, it was obvious that that measure would do nothing to enhance the effectiveness of the work of the Organization and would have additional financial implications. He was certain that the Committee could have found a compromise solution that would have satisfied the desires of delegations from Muslim countries while protecting the interests of the Organization.

52. **Mr. Thorne** (United Kingdom), speaking on behalf of the European Union, said he deeply regretted that, notwithstanding the efforts of many delegations, it had been necessary to conduct a vote. The States members of the European Union had voted against the draft decision. They felt that the question of holidays fell within the competence of the Secretary-General and that the General Assembly should not be involved itself in resolving it. They likewise deplored the reopening of discussion on a balanced text that had been carefully negotiated just three months earlier in the context of General Assembly resolution 52/214, which had been adopted by consensus. The European Union was composed of 15 members reflecting a broad range of traditions. For that reason it attached the utmost importance to the provisions of Article 13 of the Charter of the United Nations, which were based on an equitable balance.

53. **Mr. Hanson** (Canada) said that he, too, thought it would have been wiser to hold further consultations with a view to reaching a consensus. Since a vote had been imposed, his delegation had decided, after weighing the pros and cons, to vote in favour of the draft decision. Ten holidays a year seemed to be reasonable number. That was in fact slightly less generous than the system in Canada. That being said, Canada wished to stress two points: firstly, the United Nations was not a sectarian organization and had no established religion. It did not observe religious holidays per se, no matter what they were. Deliberative bodies occasionally decided not to meet on specific dates in order to accommodate the wishes of Member States and delegations that followed certain religions, and a number of days were days off for the Secretariat. Canada nevertheless believed that the Secretary-General was still authorized to determine the number of holidays at each duty station, in consultation with the staff and in accordance with the provisions of the Charter and the Staff Rules. His authority was not called into question by the decision just adopted.

54. **Mr. Atiyanto** (Indonesia), speaking on behalf of the Group of 77 and China, said that those countries deeply regretted that it had been necessary to put the draft to the vote. He wished to note that the Group of 77 had scrupulously respected the international character of the Organization. Now that draft decision A/C.5/52/L.26 had been adopted, he hoped that the Secretary-General would implement it fully.

55. **Ms. Powles** (New Zealand) said that the draft decision had put her delegation in a difficult situation. It concerned a matter related to relations between the administration and staff which fell within the competence of the Secretary-General in his capacity as chief administrative officer. Her delegation believed that it had been unwise to politicize the matter to the extent of requiring Member States to express themselves in a vote. It had not wished to cast a vote that would go against the views of several friendly and neighbouring countries, and had therefore abstained.

56. **Mr. Sulaiman** (Syrian Arab Republic) welcomed the adoption of the draft decision making it possible to observe the two holidays of Id al-Fitr and Id al-Adha and thanked the States that had voted in favour of it.

57. **Mr. Armitage** (Australia) said that he did not think that all the necessary efforts had been made to try to find a compromise solution for that very delicate matter. Although his delegation was not at all opposed to the introduction of two holidays, it objected in principle to the way in which the decision had been taken. The decision directly weakened the authority of the Secretary-General as the chief administrative

officer and also undermined the integrity of relations between the staff and the Administration. The United Nations was a secular organization and one could fear that the decision would set a precedent by helping to call into question established practices.

58. **Mr. Watanabe** (Japan) said that, while recognizing that United Nations staff members had the right to observe religious holidays, he had voted against the draft decision for several reasons. Consensus was of the utmost importance in the Committee's work, particularly when a delicate matter was involved. Furthermore, in December 1997, the General Assembly had adopted a resolution that had been carefully negotiated. Before changing the provisions of that resolution, more time should have been devoted to the search for a consensus.

59. **Ms. Shearouse** (United States of America) expressed her delegation's grave concern with regard to the decision that had just been adopted. Designating holidays observed by the United Nations had always been one of the prerogatives of the Secretary-General; and the calendar was established on the basis of the customs and practices followed in duty stations. The secular nature of the Organization and the need to respect the cultures of all Member States should be kept in mind. The decision adopted by the Committee did not ensure equality of treatment among all the cultures and religions represented at the United Nations. Furthermore, it was not wise to increase the number of holidays because that would not help to enhance the effectiveness of the Organization or improve its image.

60. **Mr. Ahounou** (Côte d'Ivoire) expressed regret that a vote had had to be taken, which was an unusual procedure in the Committee. While his delegation had supported the draft decision out of solidarity, since it was very attached to the principle of consensus, it would have liked to have seen the decision postponed to the following day, particularly in view of the political nature of the matter at hand.

61. **Mr. Mirmohammad** (Islamic Republic of Iran) said that he welcomed the adoption of draft decision A/C.5/52/L.26. He hoped that that clearly worded text would remove all the difficulties linked to the implementation of General Assembly resolution 52/214. Furthermore, in establishing the two additional holidays, it was not a question of imposing a religion or setting one religion against another by calling into question the secular nature of the Organization. It was a matter of responding to the wishes of a sizeable number of Member States, a large proportion of the world's population and many staff members, who had the right to equitable treatment.

62. **Mr. Monayir** (Kuwait) said that his delegation supported the statement by the representative of Indonesia on behalf of the Group of 77 and China on setting the number of official holidays at 10 days and pointed out that that was also in keeping with the wishes of the staff member associations, which were a very important party involved in choosing the holidays. He regretted that it had not been possible to reach agreement on the question within the Committee.

63. **Mr. Al-Khalife** (Qatar) expressed appreciation to all delegations that had voted in favour of the draft decision and pointed out that they represented more than a third of the Member States and more than a billion persons who espoused Islam in the world. He had been surprised to hear the fallacious arguments put forward with regard to the costs involved and secularism. The truth lay elsewhere. The time had come to heed, within the Committee and other bodies, the aspirations expressed by numerous delegations.

64. **Mr. Farid** (Saudi Arabia) said that he associated himself with the statement by the Chairman of the Group of 77 and China and expressed appreciation to the representative of Qatar. Every effort had been made to try to find a consensus, but, unfortunately, without success. Noting that General Assembly resolution 52/214 had never been fully implemented, his delegation expressed satisfaction that the matter was finally resolved. It expected that the Secretary-General would scrupulously observe the provisions of draft resolution A/C.5/52/L.26. All United Nations staff members should take two days of leave on the holidays referred to in the decision, at full pay; and the Organization would be closed.

65. **Mr. Park** (Republic of Korea) said that he wished to contest the procedure that had been followed. His delegation had not been prepared to participate in a vote at the current meeting. There had been no indication in the *Journal of the United Nations* in that regard and the question of the quorum raised by the representative of the Russian Federation had not been fully clarified. His country, therefore, had not participated in the vote.

66. **Mr. Blukis** (Latvia) said that he associated himself with the statement made by the representative of the United Kingdom on behalf of the European Union.

67. **Mr. Riva** (Argentina) said that his country respected religious holidays and that that was taken into account in its domestic legislation. Nevertheless, his delegation regretted that the decision had not been adopted by consensus. In an organization like the United Nations, where very diverse cultures and religions were represented, it would be

desirable in the future to define a general policy on the question of holidays.

68. **Mr. Rahmtalla** (Sudan) expressed appreciation to all the delegations that had voted in favour of the draft decision. He hoped that those which had not supported it would use the intervening time between its adoption by the Committee and its introduction in a plenary meeting of the General Assembly to reconsider their positions, as some delegations had done under other circumstances, by demonstrating the same spirit of cooperation.

69. **Mr. Elmontasser** (Libyan Arab Jamahiriya) said that his delegation, while regretting that agreement had not been reached on the question in the Committee, supported the statements made by the representative of Indonesia on behalf of the Group of 77 and China and by other representatives whose remarks had been along the same lines. He hoped that the decision taken would definitively settle the question of the two holidays and that his delegation would not be forced to raise the matter again. He thanked all the delegations that had voted in favour of the draft decision.

70. **The Chairman** said that the Committee had completed its consideration of agenda item 119.

The meeting rose at 7.45 p.m.